

S.D. 2.
H.D. 1
H.D. 2
C.D. 1

THE EIGHTH LEGISLATURE OF THE STATE OF HAWAII

THE SENATE A BILL FOR AN ACT

RELATING TO THE HAWAII PAROLING AUTHORITY.

Introduced JANUARY 21, 1975

Senator's DONALD S. NISHIMURA, ROBERT S. TAIRA, RICHARD S.H. WONG,
JOHN J. HULTEN, T.C. YIM, STANLEY I. HARA, DONALD D.H. CHING,
JOHN T. USHIJIMA, JEAN S. KING, DENNIS O'CONNOR, DUKE T. KAWASAKI,
FRANCIS A. WONG, ANSON CHONG, JOSEPH T. KURODA, MAMORU YAMASAKI,
GEORGE H. TOYOFUKU

JANUARY 21, 1975	PASSED FIRST READING
JANUARY 21, 1975	REFERRED TO THE COMMITTEE ON LEGISLATIVE MANAGEMENT (Printing)
JANUARY 22, 1975	REFERRED TO COMMITTEES ON JUDICIARY; THEN TO WAYS AND MEANS
MARCH 7, 1975	PASSED SECOND READING; THEN REFERRED TO COMMITTEE ON WAYS AND MEANS (STAND. COM. REP. NO. 314)SD1
MARCH 12, 1975	24-HOUR NOTICE (STAND. COM. REP. NO. 601)SD2
MARCH 13, 1975	PASSED THIRD READING
MARCH 13, 1975	TRANSMITTED TO HOUSE
MARCH 17, 1975	RECEIVED FROM SENATE
MARCH 17, 1975	PASSED FIRST READING
MARCH 17, 1975	REFERRED TO (1) JUD (2) FIN
MARCH 31, 1975	PASSED SECOND READING AND REFERRED TO FIN (H. D. 1) (STAND. COM. 695)
MARCH 29, 1976	24-HOUR NOTICE (H.D.2) (STAND. COM. 766-76)
MARCH 30, 1976	PASSED THIRD READING
MARCH 30, 1976	RETURNED TO SENATE
MARCH 30, 1976	RECEIVED FROM HOUSE (HOUSE COM. NO. 323)

Richie Hirai

Clerk of the Senate

(over)

MARCH 30, 1976	DEFERRED UNTIL MARCH 31, 1976
MARCH 31, 1976	SENATE DISAGREED TO HOUSE AMENDMENTS (HD2) CONFEREES TO BE NAMED LATER
APRIL 1, 1976	SENATE CONFEREES: DONALD S. NISHIMURA, CHAIRMAN; STANLEY I. HARA, ANSON CHONG, DENNIS O'CONNOR AND MARY GEORGE
APRIL 2, 1976	HOUSE APPOINTS CONFEREES: ROEHRIG, CHAIRMAN; KONDO, STANLEY, AND MEDEIROS - HD2 (HOUSE COM. NO. 387)
APRIL 12, 1976	24-HOUR NOTICE (CONF. COM. REP. NO. 32-76 - C.D. 1)
APRIL 13, 1976	DEFERRED UNTIL APRIL 14, 1976
APRIL 14, 1976	FURTHER DEFERRED UNTIL APRIL 15, 1976
APRIL 15, 1976	FURTHER DEFERRED UNTIL APRIL 19, 1976
APRIL 19, 1976	FURTHER DEFERRED UNTIL APRIL 20, 1976
APRIL 20, 1976	SENATE FINAL READING (CD1)
APRIL 20, 1976	HOUSE FINAL READING (HOUSE COM. NO. 606)
APRIL 23, 1976	ENROLLED TO GOVERNOR

ORIGINAL

(To be made one and twelve copies)

THE SENATE

EIGHTH LEGISLATURE, 19⁷⁵

STATE OF HAWAII

S.B. NO. 75

A BILL FOR AN ACT

RELATING TO THE HAWAII PAROLING AUTHORITY.

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

1 SECTION 1. The purpose of this Act is to reconstitute the
2 board of paroles and pardons as a professional board with
3 full-time paid members in order more effectively and efficiently
4 to achieve the dual and inseparable purposes of parole, the pro-
5 tection of society on the one hand and the rehabilitation of
6 the offender on the other.

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

9 "Sec. 353-61 [Board of paroles and pardons;] Hawaii paroling
10 authority; appointment; tenure[.]; qualifications. Members of
11 the paroling authority shall be nominated by a panel composed
12 of the chief justice of the Hawaii supreme court, the director
13 of the department of social services, the president of the Hawaii
14 correctional association, the president of the Hawaii bar asso-
15 ciation of Hawaii, the head of the Hawaii council of churches,
16 a member from the general public to be appointed by the governor
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1 and the president of the Hawaii chapter of the national associa-
2 tion of social workers. The panel shall submit to the governor
3 the name of one person, designated as the nominee, for chairman
4 or as a member, for each vacancy. The governor shall appoint,
5 in the manner prescribed by section 26-34, a [board] paroling
6 authority to be known as the [board of paroles and pardons]
7 Hawaii paroling authority, to consist of [five] three members
8 [who shall be appointed for terms of four years and] one of
9 whom shall be designated [by the appointing power as] chairman.
10 [All] Of the members first appointed after the effective date
11 of this Act, the member designated as chairman shall be appointed
12 for a term of four years, one member shall be appointed for a
13 term of three years, and one member shall be appointed for a
14 term of two years; thereafter all appointments shall be made
15 for terms of four years, commencing from the date of expiration
16 of the last preceding term. Any vacancy in an unexpired term
17 shall be filled by appointment for the remainder of the unexpired
18 term. Nominees to the authority shall be made on the basis of
19 their qualifications to make decisions that will be compatible
20 with the welfare of the community and of individual offenders,
21 including their background and ability for appraisal of
22 offenders and the circumstances under which offenses were com-
23 mitted."
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1 SECTION 3. Section 353-62, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "Sec. 353-62 [Acting chairman, meetings, records, reports,
4 clerical assistance. In case of the temporary absence or
5 illness of the chairman, an acting chairman may be appointed in
6 the manner provided by section 26-32. In case of the absence
7 from any meeting of the chairman or acting chairman the members
8 present may elect any member to act as chairman at the meeting.
9 The board of paroles and pardons shall hold a regular meeting at
10 least once in every month. A record of all meetings and pro-
11 ceedings of the board shall be kept, and a detailed report of
12 its work shall be sent to the governor every three months. In
13 all matters the board shall act by a majority of its members.
14 The board shall appoint its own administrative secretary and
15 such other clerical assistants as may be necessary within the
16 limits of available appropriations, subject to any applicable
17 salary classification and civil service schedules, laws, and
18 regulations.] Hawaii paroling authority; responsibilities and
19 duties; operations; records, reports, staff. (a) In addition
20 to any other responsibility or duty prescribed by law for the
21 Hawaii paroling authority, the paroling authority shall:

22 (1) Serve as the central paroling authority for the
23 State;

- 1 (2) In selecting individuals for parole, consider for
2 parole all prisoners in state correctional institu-
3 tions, except in cases where the penalty of life
4 imprisonment not subject to parole has been imposed,
5 regardless of the nature of the offense committed;
6 (3) Determine the time at which parole shall be granted
7 to any eligible individual as that time at which
8 maximum benefits of the correctional institutions
9 to the individual have been reached and the element
10 of risk to the community is minimal;
11 (4) Establish rules of operation to determine conditions
12 of parole applicable to any individual granted parole;
13 (5) Provide continuing custody, control, and supervision
14 of paroled individuals;
15 (6) Revoke or suspend parole and provide for the authori-
16 zation of return to a correctional institution for
17 any individual who violates parole or any condition
18 of parole;
19 (7) Discharge an individual from parole when supervision
20 is no longer needed;
21 (8) Interpret the parole program to the public in order
22 to develop a broad base of public understanding and
23 support; and
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1 (9) Recommend to the legislature sound parole legislation
2 and recommend to the governor sound parole administra-
3 tion.

4 (b) In its operations the paroling authority shall:

5 (1) Keep and maintain a record of all meetings and
6 proceedings;

7 (2) Send a detailed report of its operations to the
8 governor every three months;

9 (3) In promulgating rules, conform to chapter 91;

10 (4) In all matters act by a majority of its members; and

11 (5) Appoint an administrative secretary and such other
12 clerical and other assistants as may be necessary
13 within the limits of available appropriations, subject
14 to any applicable salary classification and civil
15 service schedules, laws, and rules."

16 SECTION 4. Section 353-63, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "Sec. 353-63 Service of [board] Hawaii paroling authority
19 members [without pay;] compensation; expenses. The [members]
20 chairman of the [board of paroles and pardons] Hawaii paroling
21 authority, and each member shall serve [without pay, but] on
22 a full-time basis. The annual salary of the chairman shall be
23 the same as that of judges of the circuit courts. The annual
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1 salaries of each of the members shall be ninety-five per cent
2 of the annual salary of judges of the circuit courts. All
3 paroling authority members shall receive their necessary
4 expenses for [traveling] travel and incidentals which shall
5 be paid from appropriations provided the [board] authority
6 for such purposes, on vouchers approved by the director of
7 social services."

8 SECTION 5. (a) The Hawaii paroling authority provided
9 for in this Act shall succeed to all of the rights and powers
10 exercised, and all of the duties and obligations incurred by
11 the part-time board of paroles and pardons that it replaces
12 in the exercise of the functions transferred. All references
13 in any law, rule, regulation, contract, or document to the
14 part-time board of paroles and pardons in connection with the
15 functions transferred by this Act shall apply to the newly estab-
16 lished Hawaii paroling authority established by this Act.

17 (b) All employees of the former part-time board of
18 paroles and pardons shall be transferred to the newly estab-
19 lished Hawaii paroling authority established by this Act. No
20 employee of the State having tenure shall suffer any loss of
21 salary, seniority, prior service credit, vacation, sick leave,
22 or other employee benefit or privilege as a consequence of this
23 Act. In the event that an office or position held by any
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1 employee having tenure is abolished, the employee shall not
2 thereby be separated from public employment but shall remain
3 in the employment of the State with the same pay and classifi-
4 cation and shall be transferred to some other office or position
5 for which the employee is eligible under the personnel laws of
6 the State.

7 (c) All records, equipment, files, supplies, contracts,
8 books, papers, documents, maps, appropriations, and other
9 property heretofore made, used, acquired, or held by the former
10 part-time board of paroles and pardons in the exercise of the
11 functions transferred by this Act shall be transferred to the
12 newly established Hawaii paroling authority established by this
13 Act.

14 (d) This Act does not affect rights and duties that
15 matured, penalties that were incurred, and proceedings that
16 were begun, before its effective date.

17 (e) The governor shall, by executive order, after the
18 appointment of the three members of the Hawaii paroling authority,
19 establish the date for the succession of rights and powers,
20 the assumption of all functions, and the transferrals provided
21 by this section and the members of the board of paroles and
22 pardons shall continue to serve until the appointment of all
23 members of the Hawaii paroling authority.
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1 SECTION 6. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$, or so
3 much thereof as may be necessary, for the salary, wages, and
4 expenses of the Hawaii paroling authority members.

5 SECTION 7. The revisor of statutes shall change the name
6 of "board of paroles and pardons" to "Hawaii paroling authority"
7 wherever found in the Hawaii Revised Statutes, including, but
8 not limited to, sections 26-14, 353-65, 353-66, 353-67, 353-68,
9 353-69, 353-70, 353-71, 353-72, and also sections 669 and 670,
10 Hawaii Revised Statutes, title 37, Hawaii Penal Code.

11 SECTION 8. Statutory material to be repealed is bracketed.
12 New material is underscored. In printing this Act, the revisor
13 of statutes need not include the brackets, the bracketed material,
14 or the underscoring.

15 SECTION 9. This Act shall take effect upon its approval.

17 INTRODUCED BY:

Donald H. Hironaka

Jeun King
Hon. J. B. Conn.

Robert S. Torrey
Richard A. H. Hong
James G. Brown
T. C. Yuen

John K. Kamehame
James C. Long
Arthur C. Long
Joe Kuroki
Mamoru Yamaguchi
George H. Bryant

Stanley A. Hara
Donald H. Hironaka
1/21/75
LRB 184-0091

ORIGINAL

STANDING COMMITTEE REPORT NO. 314

Honolulu, Hawaii

MARCH 7, 1975

The Honorable John T. Ushijima
President of the Senate
Eighth State Legislature
Regular Session of 1975
State of Hawaii

Sir:

RE: S.B. 75

Your Committee on Judiciary to which was referred
S.B. No. 75, entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY.",
begs leave to report as follows:

The purpose of this bill is to reconstitute the board of paroles and pardons as a full-time professional board to be known as the Hawaii Paroling Authority, in order more effectively and efficiently to achieve the dual and inseparable purposes of parole, the protection of society on the one hand and the rehabilitation of the offender on the other. The present board is often frustrated by its desire to provide the needed community service coupled with its inability to do so because of time and financial constraints. The board's functions are demanding in terms of the complexity of factors involved in reaching any decision, in terms of time required to study and understand any single case, and in terms of effect on the safety of our community and the life of every individual person considered for parole. These functions should be conducted by persons with appropriate training and background.

The bill provides for reconstituting the parole board as a 3 member authority. Members are to be nominated by a special panel composed of the chief justice of the Hawaii supreme court, the director of the department of social services, the president of the Hawaii correctional association, the president of the Hawaii bar association of Hawaii, the head of the Hawaii council of churches, 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 is to submit one name for each vacancy. The bill provides for initial terms of appointment,

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the chairman designee being appointed for four years, one member for three years, and the other for two years. Thereafter, all appointments will be for four years. Standards are set up for selection of nominees to the authority, and duties and responsibilities of the authority are set forth.

The bill further provides for compensating the chairman at the same salary as that of circuit court judges with the compensation of the other two members to be ninety-five per cent of the salary of the circuit court judges.

The bill also provides for succession by the authority to all of the rights and powers exercised and all of the duties and obligations incurred by the part-time board of paroles and pardons that it replaces in the exercise of the functions transferred.


The bill further provides that all employees, records, etc. of the former board are to be transferred to the authority. The governor is to establish the date for the succession of rights and powers, the assumption of all functions and for transferrals, and funds are appropriated for the salaries, wages, and expenses of the paroling authority members.

Upon consideration, your committee has adopted the recommendations of the director of the department of social services and housing and has amended the bill to provide for a full-time paid chairman and two part-time paid members. Your committee has also amended the bill to provide for submission of not less than three names for each vacancy for action by the governor. The bill has further been amended to provide for compensation of the full-time chairman at the same salary as that of district court judges, with the two part-time members receiving 90 per cent of the hourly wage paid the chairman.

Your Committee on Judiciary is in accord with the intent and purpose of S.B. No. 75, as amended herein and recommends that it pass Second Reading in the form attached hereto as S.B. No. 75, S.D. 1, and be referred to the committee on Ways and Means for further consideration.

Respectfully submitted,


DONALD S. NISHIMURA, Chairman


DENNIS O'CONNOR, Vice-Chairman

Donald Ching
DONALD D. H. CHING, Member

Anson Chong
ANSON CHONG, Member

Excused
STANLEY I. HARA, Member

I do not concur
Duke T. Kawasaki
DUKE T. KAWASAKI, Member

Robert S. Taira
ROBERT S. TAIRA, Member

Henry T. Takitani
HENRY T. TAKITANI, Member

Francis A. Wong
FRANCIS A. WONG, Member

Mary George (w/r)
MARY GEORGE, Member

John Leopold
JOHN LEOPOLD, Member

Patricia Sasaki w/r
PATRICIA SAIKI, Member

THE SENATE

7:30

THE EIGHTH LEGISLATURE
OF THE STATE OF HAWAII

RECORD OF VOTES

On S.B. No. 75, S.D. 2

Third Reading

Memo	SENATORS	Aye	No	Excused
	ANDERSON, D. G.	/		
	CHING, Donald D. H.	/		
	CHONG, Anson	/		
	GEORGE, Mary	/		
	HARA, Stanley I.	/		
	HENDERSON, Richard	/		
	HULTEN, John J.	/		
	KAWASAKI, Duke T.	/		
	KING, Jean S.	/		
	KURODA, Joseph T.	/		
	LEOPOLD, John	/		
	NISHIMURA, Donald S.	/		
	O'CONNOR, Dennis	/		
	ROHLFING, Frederick W.	/		
	SAIKI, Patricia	/		
	TAIRA, Robert S.	/		
	TAKITANI, Henry	/		
	TOYOFUKU, George H.	/		
	WONG, Francis A.	/		
	WONG, Richard S. H.	/		
	YAMASAKI, Mamoru	/		
	YEE, Wadsworth	/		
	YIM, T. C.	/		
	YOUNG, Patsy K.	/		
	MR. PRESIDENT	/		
	TOTAL	25		

S. Hui
Clerk of the Senate

DATE: 6/15 197 5

(To be made one and twelve copies)

THE SENATE

EIGHTH..... LEGISLATURE, 19 75

STATE OF HAWAII

S.B. NO.

75

S.D. 1

A BILL FOR AN ACT

RELATING TO THE HAWAII PAROLING AUTHORITY.

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

1 SECTION 1. The purpose of this Act is to reconstitute the
2 board of paroles and pardons as a professional board with
3 full-time paid chairman and part-time paid members in order more
4 effectively and efficiently to achieve the dual and inseparable
5 purposes of parole, the protection of society on the one hand and
6 the rehabilitation of the offender on the other.

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

9 "Sec. 353-61 [Board of paroles and pardons;] Hawaii paroling
10 authority; appointment; tenure[.]; qualifications. Members of
11 the paroling authority shall be nominated by a panel composed
12 of the chief justice of the Hawaii supreme court, the director
13 of the department of social services, the president of the Hawaii
14 correctional association, the president of the Hawaii bar asso-
15 ciation of Hawaii, the head of the Hawaii council of churches,
16 a member from the general public to be appointed by the governor
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1 and the president of the Hawaii chapter of the national associa-
2 tion of social workers. The panel shall submit to the governor
3 the names of not less than three persons, designated as the nominees,
4 for chairman or as a member, for each vacancy. The governor shall
5 appoint, in the manner prescribed by section 26-34, a [board]
6 paroling authority to be known as the [board of paroles and pardons]
7 Hawaii paroling authority, to consist of [five] three members [who
8 shall be appointed for terms of four years and] one of whom shall
9 be designated [by the appointing power as] chairman. [All] Of the
10 members first appointed after the effective date of this Act, the
11 member designated as chairman shall be appointed for a term of four
12 years, one member shall be appointed for a term of three years, and
13 one member shall be appointed for a term of two years; thereafter
14 all appointments shall be made for terms of four years, commencing
15 from the date of expiration of the last preceding term. Any vacancy
16 in an unexpired term shall be filled by appointment for the remainder
17 of the unexpired term. Nominees to the authority shall be selected
18 on the basis of their qualifications to make decisions that will be
19 compatible with the welfare of the community and of individual
20 offenders, including their background and ability for appraisal of
21 offenders and the circumstances under which offenses were committed."
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1 SECTION 3. Section 353-62, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "Sec. 353-62 [Acting chairman, meetings, records, reports,
4 clerical assistance. In case of the temporary absence or
5 illness of the chairman, an acting chairman may be appointed in
6 the manner provided by section 26-32. In case of the absence
7 from any meeting of the chairman or acting chairman the members
8 present may elect any member to act as chairman at the meeting.
9 The board of paroles and pardons shall hold a regular meeting at
10 least once in every month. A record of all meetings and pro-
11 ceedings of the board shall be kept, and a detailed report of
12 its work shall be sent to the governor every three months. In
13 all matters the board shall act by a majority of its members.
14 The board shall appoint its own administrative secretary and
15 such other clerical assistants as may be necessary within the
16 limits of available appropriations, subject to any applicable
17 salary classification and civil service schedules, laws, and
18 regulations.] Hawaii paroling authority; responsibilities and
19 duties; operations; records, reports, staff. (a) In addition
20 to any other responsibility or duty prescribed by law for the
21 Hawaii paroling authority, the paroling authority shall:

- 22 (1) Serve as the central paroling authority for the
23 State;
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- 1 (2) In selecting individuals for parole, consider for
2 parole all committed persons, except in cases where the
3 penalty of life imprisonment not subject to parole has
4 been imposed, regardless of the nature of the offense
5 committed;
- 6 (3) Determine the time at which parole shall be granted
7 to any eligible individual as that time at which
8 maximum benefits of the correctional institutions
9 to the individual have been reached and the element
10 of risk to the community is minimal;
- 11 (4) Establish rules of operation to determine conditions
12 of parole applicable to any individual granted parole;
- 13 (5) Provide continuing custody, control, and supervision
14 of paroled individuals;
- 15 (6) Revoke or suspend parole and provide for the authori-
16 zation of return to a correctional institution for
17 any individual who violates parole or any condition
18 of parole;
- 19 (7) Discharge an individual from parole when supervision
20 is no longer needed;
- 21 (8) Interpret the parole program to the public in order
22 to develop a broad base of public understanding and
23 support; and

1 (9) Recommend to the legislature sound parole legislation
2 and recommend to the governor sound parole administra-
3 tion.

4 (b) In its operations the paroling authority shall:

5 (1) Keep and maintain a record of all meetings and
6 proceedings;

7 (2) Send a detailed report of its operations to the
8 governor every three months;

9 (3) In promulgating rules, conform to chapter 91;

10 (4) In all matters act by a majority of its members; and

11 (5) Appoint an administrative secretary and such other
12 clerical and other assistants as may be necessary
13 within the limits of available appropriations, subject
14 to any applicable salary classification and civil
15 service schedules, laws, and rules."

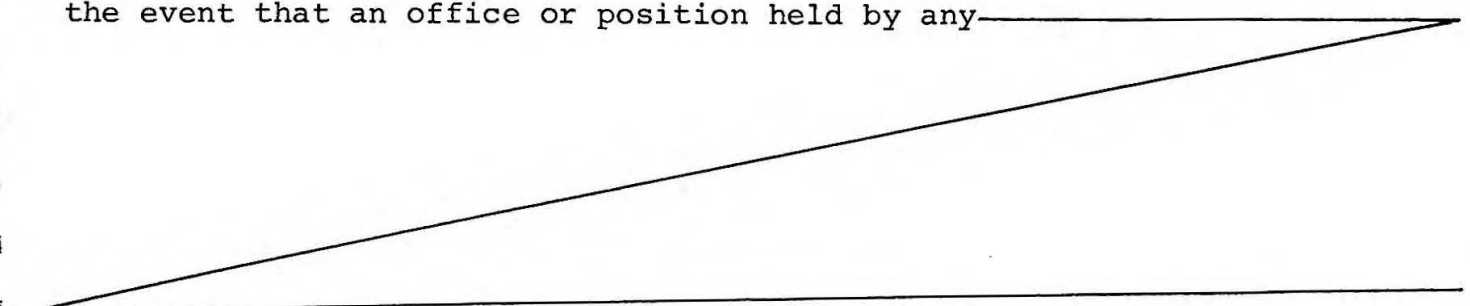
16 SECTION 4. Section 353-63, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "Sec. 353-63 Service of [board] Hawaii paroling authority
19 members [without pay;] compensation; expenses. The [members]
20 chairman of the [board of paroles and pardons] Hawaii paroling
21 authority shall serve [without pay, but] on a full-time basis.
22 The other two members shall serve on a part-time basis. The annual
23 salary of the chairman shall be the same as that of judges of
24 the district courts. The Compensation of each of the members shall
25 be ninety per cent of the hourly wage paid the chairman. All

1 paroling authority members shall receive their necessary expenses
2 for [traveling] travel and incidentals which shall be paid from
3 appropriations provided the [board] authority for such purposes,
4 on vouchers approved by the director of social services."

5 SECTION 5. (a) The Hawaii paroling authority provided
6 for in this Act shall succeed to all of the rights and powers
7 exercised, and all of the duties and obligations incurred by
8 the part-time board of paroles and pardons that it replaces
9 in the exercise of the functions transferred. All references
10 in any law, rule, regulation, contract, or document to the
11 part-time board of paroles and pardons in connection with the
12 functions transferred by this Act shall apply to the newly estab-
13 lished Hawaii paroling authority established by this Act.

14 (b) All employees of the former part-time board of
15 paroles and pardons shall be transferred to the newly established
16 Hawaii paroling authority established by this Act. No employee
17 of the State having tenure shall suffer any loss of salary,
18 seniority, prior service credit, vacation, sick leave, or other
19 employee benefit or privilege as a consequence of this Act. In
20 the event that an office or position held by any



1 employee having tenure is abolished, the employee shall not
2 thereby be separated from public employment but shall remain
3 in the employment of the State with the same pay and classifi-
4 cation and shall be transferred to some other office or position
5 for which the employee is eligible under the personnel laws of
6 the State.

7 (c) All records, equipment, files, supplies, contracts,
8 books, papers, documents, maps, appropriations, and other
9 property heretofore made, used, acquired, or held by the former
10 part-time board of paroles and pardons in the exercise of the
11 functions transferred by this Act shall be transferred to the
12 newly established Hawaii paroling authority established by this
13 Act.

14 (d) This Act does not affect rights and duties that
15 matured, penalties that were incurred, and proceedings that
16 were begun, before its effective date.

17 (e) The governor shall, by executive order, after the
18 appointment of the three members of the Hawaii paroling authority,
19 establish the date for the succession of rights and powers,
20 the assumption of all functions, and the transferrals provided
21 by this section and the members of the board of paroles and
22 pardons shall continue to serve until the appointment of all
23 members of the Hawaii paroling authority.
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1 SECTION 6. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$60,000, or so
3 much thereof as may be necessary, for the salary, wages, and
4 expenses of the Hawaii paroling authority members.

5 SECTION 7. The revisor of statutes shall change the name
6 of "board of paroles and pardons" to "Hawaii paroling authority"
7 wherever found in the Hawaii Revised Statutes, including, but
8 not limited to, sections 26-14, 353-65, 353-66, 353-67, 353-68,
9 353-69, 353-70, 353-71, 353-72, and also sections 669 and 670,
10 Hawaii Revised Statutes, title 37, Hawaii Penal Code.

11 SECTION 8. Statutory material to be repealed is bracketed.
12 New material is underscored. In printing this Act, the revisor
13 of statutes need not include the brackets, the bracketed material,
14 or the underscoring.

15 SECTION 9. This Act shall take effect upon its approval.
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ORIGINAL

S-513

STANDING COMMITTEE REPORT NO. 601

Honolulu, Hawaii
MARCH 14, 1975

The Honorable John T. Ushijima
President of the Senate
Eighth Legislature
Regular Session, 1975
State of Hawaii

Sir:

RE: S.B. 75, S.D. 1

Your Committee on Ways and Means to which was referred
S.B. No. 75, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY.",
begs leave to report as follows:

The purpose of this bill is to reconstitute the board of paroles and pardons as a full-time professional board to be known as the Hawaii Paroling Authority, in order more effectively and efficiently to achieve the dual and inseparable purposes of parole, the protection of society on the one hand and the rehabilitation of the offender on the other. The present board is often frustrated by its desire to provide the needed community service coupled with its inability to do so because of time and financial constraints. The board's functions are demanding in terms of the complexity of factors involved in reaching any decision, in terms of time required to study and understand any single case, and in terms of effect on the safety of our community and the life of every individual person considered for parole. These functions should be conducted by persons with appropriate training and background.

The bill provides for a full-time paid chairman and two part-time paid members to be elected through the submission of not less than three names for each vacancy for action by the governor. The bill also provides for compensation of the full-time chairman at the same salary as that of district court judges, with the two part-time members receiving 90 per cent of the hourly wage paid the chairman.

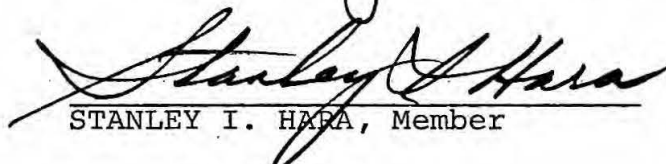
Your Committee has amended the appropriation for the authority.

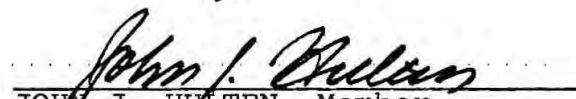
Your Committee on Ways and Means is in accord with the intent and purpose of S.B. No. 75, S.D. 1, as amended herein and recommends that it be placed on the calendar for Third Reading in the form attached hereto as S.B. No. 75, S.D. 2.

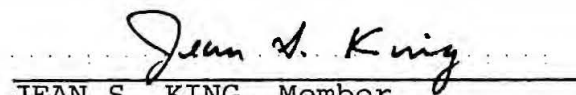
Respectfully submitted,

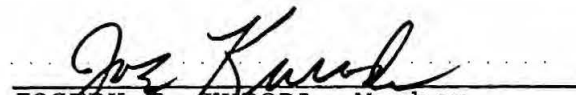

RICHARD S. H. WONG, Chairman

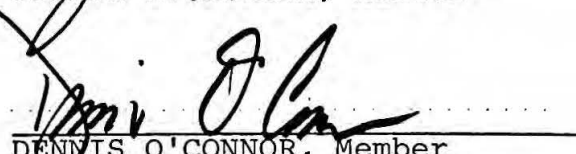

MAMORU YAMASAKI, Vice-Chairman


STANLEY I. HARA, Member


JOHN J. HULTEN, Member


JEAN S. KING, Member


JOSEPH T. KURODA, Member


DENNIS O'CONNOR, Member

EXCUSED

D. G. ANDERSON, Member

Richard Henderson

RICHARD HENDERSON, Member

Fred Rohlfing

FREDERICK W. ROHLFING, Member

George H. Toyofuku

GEORGE H. TOYOFUKU, Member

T. C. Yim

T. C. YIM, Member

Patsy K. Young

PATSY K. YOUNG, Member

(To be made one and twelve copies)

THE SENATE

.....EIGHTH..... LEGISLATURE, 19 75

STATE OF HAWAII

S.B. NO.

75
S.D. 2

A BILL FOR AN ACT

RELATING TO THE HAWAII PAROLING AUTHORITY.

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

1 SECTION 1. The purpose of this Act is to reconstitute the
2 board of paroles and pardons as a professional board with
3 full-time paid chairman and part-time paid members in order more
4 effectively and efficiently to achieve the dual and inseparable
5 purposes of parole, the protection of society on the one hand and
6 the rehabilitation of the offender on the other.

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

9 "Sec. 353-61 [Board of paroles and pardons;] Hawaii paroling
10 authority; appointment; tenure[.]; qualifications. Members of
11 the paroling authority shall be nominated by a panel composed
12 of the chief justice of the Hawaii supreme court, the director
13 of the department of social services, the president of the Hawaii
14 correctional association, the president of the Hawaii bar asso-
15 ciation of Hawaii, the head of the Hawaii council of churches,
16 a member from the general public to be appointed by the governor
17
18

1 and the president of the Hawaii chapter of the national associa-
2 tion of social workers. The panel shall submit to the governor
3 the names of not less than three persons, designated as the nominees,
4 for chairman or as a member, for each vacancy. The governor shall
5 appoint, in the manner prescribed by section 26-34, a [board]
6 paroling authority to be known as the [board of paroles and pardons]
7 Hawaii paroling authority, to consist of [five] three members [who
8 shall be appointed for terms of four years and] one of whom shall
9 be designated [by the appointing power as] chairman. [All] Of the
10 members first appointed after the effective date of this Act, the
11 member designated as chairman shall be appointed for a term of four
12 years, one member shall be appointed for a term of three years, and
13 one member shall be appointed for a term of two years; thereafter
14 all appointments shall be made for terms of four years, commencing
15 from the date of expiration of the last preceding term. Any vacancy
16 in an unexpired term shall be filled by appointment for the remainder
17 of the unexpired term. Nominees to the authority shall be selected
18 on the basis of their qualifications to make decisions that will be
19 compatible with the welfare of the community and of individual
20 offenders, including their background and ability for appraisal of
21 offenders and the circumstances under which offenses were committed."

1 SECTION 3. Section 353-62, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "Sec. 353-62 [Acting chairman, meetings, records, reports,
4 clerical assistance. In case of the temporary absence or
5 illness of the chairman, an acting chairman may be appointed in
6 the manner provided by section 26-32. In case of the absence
7 from any meeting of the chairman or acting chairman the members
8 present may elect any member to act as chairman at the meeting.
9 The board of paroles and pardons shall hold a regular meeting at
10 least once in every month. A record of all meetings and pro-
11 ceedings of the board shall be kept, and a detailed report of
12 its work shall be sent to the governor every three months. In
13 all matters the board shall act by a majority of its members.
14 The board shall appoint its own administrative secretary and
15 such other clerical assistants as may be necessary within the
16 limits of available appropriations, subject to any applicable
17 salary classification and civil service schedules, laws, and
18 regulations.] Hawaii paroling authority; responsibilities and
19 duties; operations; records, reports, staff. (a) In addition
20 to any other responsibility or duty prescribed by law for the
21 Hawaii paroling authority, the paroling authority shall:

- 22 (1) Serve as the central paroling authority for the
23 State;
24
25

- (2) In selecting individuals for parole, consider for
parole all committed persons, except in cases where the
penalty of life imprisonment not subject to parole has
been imposed, regardless of the nature of the offense
committed;
- (3) Determine the time at which parole shall be granted
to any eligible individual as that time at which
maximum benefits of the correctional institutions
to the individual have been reached and the element
of risk to the community is minimal;
- (4) Establish rules of operation to determine conditions
of parole applicable to any individual granted parole;
- (5) Provide continuing custody, control, and supervision
of paroled individuals;
- (6) Revoke or suspend parole and provide for the authori-
zation of return to a correctional institution for
any individual who violates parole or any condition
of parole;
- (7) Discharge an individual from parole when supervision
is no longer needed;
- (8) Interpret the parole program to the public in order
to develop a broad base of public understanding and
support; and

(9) Recommend to the legislature sound parole legislation and recommend to the governor sound parole administration.

(b) In its operations the paroling authority shall:

(1) Keep and maintain a record of all meetings and proceedings;

(2) Send a detailed report of its operations to the governor every three months;

(3) In promulgating rules, conform to chapter 91;

(4) In all matters act by a majority of its members; and

(5) Appoint an administrative secretary and such other clerical and other assistants as may be necessary within the limits of available appropriations, subject to any applicable salary classification and civil service schedules, laws, and rules."

SECTION 4. Section 353-63, Hawaii Revised Statutes, is amended to read as follows:

"Sec. 353-63 Service of [board] Hawaii paroling authority members [without pay;] compensation; expenses. The [members] chairman of the [board of paroles and pardons] Hawaii paroling authority shall serve [without pay, but] on a full-time basis. The other two members shall serve on a part-time basis. The annual salary of the chairman shall be the same as that of judges of the district courts. The Compensation of each of the members shall be ninety per cent of the hourly wage paid the chairman. All

1 paroling authority members shall receive their necessary expenses
2 for [traveling] travel and incidentals which shall be paid from
3 appropriations provided the [board] authority for such purposes,
4 on vouchers approved by the director of social services."

5 SECTION 5. (a) The Hawaii paroling authority provided
6 for in this Act shall succeed to all of the rights and powers
7 exercised, and all of the duties and obligations incurred by
8 the part-time board of paroles and pardons that it replaces
9 in the exercise of the functions transferred. All references
10 in any law, rule, regulation, contract, or document to the
11 part-time board of paroles and pardons in connection with the
12 functions transferred by this Act shall apply to the newly estab-
13 lished Hawaii paroling authority established by this Act.

14 (b) All employees of the former part-time board of
15 paroles and pardons shall be transferred to the newly established
16 Hawaii paroling authority established by this Act. No employee
17 of the State having tenure shall suffer any loss of salary,
18 seniority, prior service credit, vacation, sick leave, or other
19 employee benefit or privilege as a consequence of this Act. In
20 the event that an office or position held by any _____
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1 employee having tenure is abolished, the employee shall not
2 thereby be separated from public employment but shall remain
3 in the employment of the State with the same pay and classifi-
4 cation and shall be transferred to some other office or position
5 for which the employee is eligible under the personnel laws of
6 the State.

7 (c) All records, equipment, files, supplies, contracts,
8 books, papers, documents, maps, appropriations, and other
9 property heretofore made, used, acquired, or held by the former
10 part-time board of paroles and pardons in the exercise of the
11 functions transferred by this Act shall be transferred to the
12 newly established Hawaii paroling authority established by this
13 Act.

14 (d) This Act does not affect rights and duties that
15 matured, penalties that were incurred, and proceedings that
16 were begun, before its effective date.

17 (e) The governor shall, by executive order, after the
18 appointment of the three members of the Hawaii paroling authority,
19 establish the date for the succession of rights and powers,
20 the assumption of all functions, and the transferrals provided
21 by this section and the members of the board of paroles and
22 pardons shall continue to serve until the appointment of all
23 members of the Hawaii paroling authority.
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25

1 SECTION 6. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$1.00, or so
3 much thereof as may be necessary, for the salary, wages, and
4 expenses of the Hawaii paroling authority members.

5 SECTION 7. The revisor of statutes shall change the name
6 of "board of paroles and pardons" to "Hawaii paroling authority"
7 wherever found in the Hawaii Revised Statutes, including, but
8 not limited to, sections 26-14, 353-65, 353-66, 353-67, 353-68,
9 353-69, 353-70, 353-71, 353-72, and also sections 669 and 670,
10 Hawaii Revised Statutes, title 37, Hawaii Penal Code.

11 SECTION 8. Statutory material to be repealed is bracketed.
12 New material is underscored. In printing this Act, the revisor
13 of statutes need not include the brackets, the bracketed material,
14 or the underscoring.

15 SECTION 9. This Act shall take effect upon its approval.

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JOHN T. USHIJIMA
PRESIDENT

DUKE T. KAWASAKI
VICE PRESIDENT

DONALD D. H. CHING
MAJORITY LEADER

ANSON CHONG
STANLEY I. HARA
GEORGE H. TOYOFUKU
ASSISTANT MAJORITY LEADERS

ROBERT S. TAIRA
MAJORITY FLOOR LEADER

JOHN J. HULTEN
DENNIS O'CONNOR
MAMORU YAMASAKI
ASST. MAJORITY FLOOR LEADERS

FRANCIS A. WONG
MAJORITY POLICY LEADER

FIRST DISTRICT
STANLEY I. HARA
RICHARD HENDERSON
JOHN T. USHIJIMA

SECOND DISTRICT
HENRY TAKITANI
MAMORU YAMASAKI

THIRD DISTRICT
D. G. ANDERSON
MARY GEORGE
JOHN J. HULTEN

FOURTH DISTRICT
DONALD D. H. CHING
JOSEPH T. KURODA
FRANCIS A. WONG
PATSY K. YOUNG

FIFTH DISTRICT
DUKE T. KAWASAKI
ROBERT S. TAIRA
RICHARD S. H. WONG
T. C. YIM

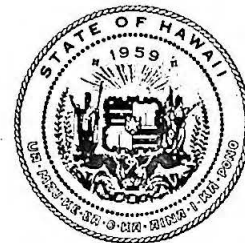
SIXTH DISTRICT
ANSON CHONG
JEAN S. KING
JOHN LEOPOLD
WADSWORTH YEE

SEVENTH DISTRICT
DONALD S. NISHIMURA
DENNIS O'CONNOR
FREDERICK W. ROHLFING
PATRICIA SAIKI

EIGHTH DISTRICT
GEORGE H. TOYOFUKU

SEIICHI HIRAI
CLERK

The Senate
The Eighth Legislature
of the
State of Hawaii
HONOLULU, HAWAII



March 13, 1975

To the Honorable Speaker and
Members of the House of Representatives
of the State of Hawaii

S i r s :

I have the honor to transmit herewith
Senate Bill No. 75,SD2, which this
day passed Third Reading in the Senate of the
Eighth Legislature of the State of Hawaii,
Regular Session of 1975.

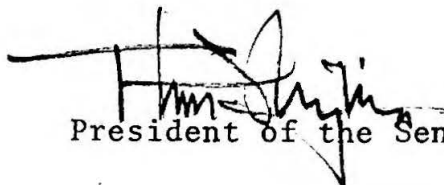
Respectfully,

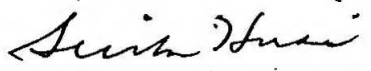
Seichi Hirai
Clerk of the Senate

THE SENATE OF THE STATE OF HAWAII

March 13, 1975
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed
Third Reading in the Senate of the Eighth Legislature of the
State of Hawaii, Regular Session of 1975.


President of the Senate


Clerk of the Senate

THE HOUSE OF REPRESENTATIVES OF THE
STATE OF HAWAII

Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed
Third Reading in the House of Representatives of the Eighth
Legislature of the State of Hawaii, Regular Session of 1975.

Speaker, House of Representatives

Clerk, House of Representatives

STAND. COM. REP. NO. 695

Honolulu, Hawaii
March 31, 1975

RE: S.B. No. 75
S.D. 1
H.D. 1

The Honorable James Wakatsuki
Speaker, House of Representatives
Eighth Legislature
Regular Session, 1975
State of Hawaii

Sir:

Your Committee on Judiciary to which was referred S.B. No. 75, S.D. 1 entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY", begs leave to report as follows:

The purpose of this bill is to reconstitute the board of paroles and pardons consisting of a full-time salaried chairman and part-time paid members in order to more effectively and efficiently achieve the dual and inseparable purposes of parole, the protection of society on the one hand the rehabilitation of the offender on the other.

The present part-time board is often frustrated in its effort to provide the necessary services demanded by the needs of the present parole system. The constraints of time, lack of technical knowledge and personal hardship on commission members arising from the time they must take from their own jobs, have hampered the effectiveness of the board.

The bill provides for a full time paid chairman and two part-time paid members to be selected through submission of not less than three names for each vacancy to the governor for his action. Your Committee amended the bill to provide for compensation of the full-time chairman at the salary range of SR-31, G step, which as of July 1, 1975 will be \$25,224 annually, with the two part-time members receiving 90 per cent of the hourly wage paid the chairman. The board's salary and compensation amounts were arrived at after comparing the present Department Administrative Salary structure, the expected scope of responsibility of the paroling authority chairman and part-time members as compared to Department heads. (The bill originally had tied the chairman's salary with that of District Court Judges which would place it higher than the deputy director's salary.)

Your Committee, as a result of its above mentioned comparisons and information received from the Department of Social Service and Housing felt the SR-31, G step was the fair salary.

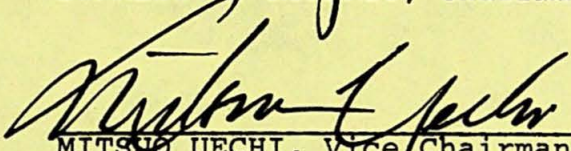
HJUD 560 062

Your Committee believes that a full-time chairman will be better able to provide the required leadership in Hawaii's parole system by improving the decision making process and more effectively responding and reacting to the needs of the inmates and the general community.

Your Committee on Judiciary is in accord with the intent and purpose of S.B. No. 75, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 75, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted,


STANLEY H. ROEHRIG, Chairman


MITSUO UECHI, Vice Chairman

Benjamin J. Cayetano
BENJAMIN J. CAYETANO, Member

Steve Cobb
STEVE COBB, Member

Ronald Y. Kondo
RONALD Y. KONDO, Member

Kenneth Lee
KENNETH LEE, Member

John S. Carroll w/R
JOHN S. CARROLL, Member

Lisa Naito
LISA NAITO, Member

Hiram L. Fong, Jr. w/R
HIRAM L. FONG, JR., Member

Kathleen Stanley
KATHLEEN STANLEY, Member

John J. Medeiros
JOHN J. MEDEIROS, Member

Yoshiito Takamine
YOSHIITO TAKAMINE, Member

Howard K. Oda
HOWARD K. ODA, Member

Dennis R. Yamada
DENNIS R. YAMADA, Member

Richard Ike Sutton
RICHARD IKE SUTTON, Member

Ted Yap
TED YAP, Member

(To be made one and twelve copies)

THE SENATE
EIGHTH
..... LEGISLATURE, 19 75
STATE OF HAWAII

S.B. NO.

75
S.D. 1
H.D. 1

A BILL FOR AN ACT

RELATING TO THE HAWAII PAROLING AUTHORITY.

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

1 SECTION 1. The purpose of this Act is to reconstitute the
2 board of paroles and pardons as a professional board with
3 full-time paid chairman and part-time paid members in order more
4 effectively and efficiently to achieve the dual and inseparable
5 purposes of parole, the protection of society on the one hand and
6 the rehabilitation of the offender on the other.

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

9 "Sec. 353-61 [Board of paroles and pardons;] Hawaii paroling
10 authority; appointment; tenure[.]; qualifications. Members of
11 the paroling authority shall be nominated by a panel composed
12 of the chief justice of the Hawaii supreme court, the director
13 of the department of social services, the president of the Hawaii
14 correctional association, the president of the Hawaii bar asso-
15 ciation of Hawaii, the head of the Hawaii council of churches,
16 a member from the general public to be appointed by the governor

1 and the president of the Hawaii chapter of the national associa-
2 tion of social workers. The panel shall submit to the governor
3 the names of not less than three persons, designated as the nominees,
4 for chairman or as a member, for each vacancy. The governor shall
5 appoint, in the manner prescribed by section 26-34, a [board]
6 paroling authority to be known as the [board of paroles and pardons]
7 Hawaii paroling authority, to consist of [five] three members [who
8 shall be appointed for terms of four years and] one of whom shall
9 be designated [by the appointing power as] chairman. [All] Of the
10 members first appointed after the effective date of this Act, the
11 member designated as chairman shall be appointed for a term of four
12 years, one member shall be appointed for a term of three years, and
13 one member shall be appointed for a term of two years; thereafter
14 all appointments shall be made for terms of four years, commencing
15 from the date of expiration of the last preceding term. Any vacancy
16 in an unexpired term shall be filled by appointment for the remainder
17 of the unexpired term. Nominees to the authority shall be selected
18 on the basis of their qualifications to make decisions that will be
19 compatible with the welfare of the community and of individual
20 offenders, including their background and ability for appraisal of
21 offenders and the circumstances under which offenses were committed."
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SECTION 3. Section 353-62, Hawaii Revised Statutes, is amended to read as follows:

"Sec. 353-62 [Acting chairman, meetings, records, reports, clerical assistance. In case of the temporary absence or illness of the chairman, an acting chairman may be appointed in the manner provided by section 26-32. In case of the absence from any meeting of the chairman or acting chairman the members present may elect any member to act as chairman at the meeting. The board of paroles and pardons shall hold a regular meeting at least once in every month. A record of all meetings and proceedings of the board shall be kept, and a detailed report of its work shall be sent to the governor every three months. In all matters the board shall act by a majority of its members. The board shall appoint its own administrative secretary and such other clerical assistants as may be necessary within the limits of available appropriations, subject to any applicable salary classification and civil service schedules, laws, and regulations.] Hawaii paroling authority; responsibilities and duties; operations; records, reports, staff. (a) In addition to any other responsibility or duty prescribed by law for the Hawaii paroling authority, the paroling authority shall:

- (1) Serve as the central paroling authority for the State;

- 1 (2) In selecting individuals for parole, consider for
2 parole all committed persons, except in cases where the
3 penalty of life imprisonment not subject to parole has
4 been imposed, regardless of the nature of the offense
5 committed;
- 6 (3) Determine the time at which parole shall be granted
7 to any eligible individual as that time at which
8 maximum benefits of the correctional institutions
9 to the individual have been reached and the element
10 of risk to the community is minimal;
- 11 (4) Establish rules of operation to determine conditions
12 of parole applicable to any individual granted parole;
- 13 (5) Provide continuing custody, control, and supervision
14 of paroled individuals;
- 15 (6) Revoke or suspend parole and provide for the authori-
16 zation of return to a correctional institution for
17 any individual who violates parole or any condition
18 of parole;
- 19 (7) Discharge an individual from parole when supervision
20 is no longer needed;
- 21 (8) Interpret the parole program to the public in order
22 to develop a broad base of public understanding and
23 support; and
- 24

1 (9) Recommend to the legislature sound parole legislation
2 and recommend to the governor sound parole administra-
3 tion.

4 (b) In its operations the paroling authority shall:

5 (1) Keep and maintain a record of all meetings and
6 proceedings;

7 (2) Send a detailed report of its operations to the
8 governor every three months;

9 (3) In promulgating rules, conform to chapter 91;

10 (4) In all matters act by a majority of its members; and

11 (5) Appoint an administrative secretary and such other
12 clerical and other assistants as may be necessary
13 within the limits of available appropriations, subject
14 to any applicable salary classification and civil
15 service schedules, laws, and rules."

16 SECTION 4. Section 353-63, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "Sec. 353-63 Service of [board] Hawaii paroling authority
19 members [without pay;] compensation; expenses. The [members]
20 chairman of the [board of paroles and pardons] Hawaii paroling
21 authority shall serve [without pay, but] on a full-time basis.
22 The other two members shall serve on a part-time basis. The annual
23 salary of the chairman shall be \$25,224 [the same as that of judges of
24 the district courts]. The Compensation of each of the members shall
25 be ninety per cent of the hourly wage paid the chairman. All

1 paroling authority members shall receive their necessary expenses
2 for [traveling] travel and incidentals which shall be paid from
3 appropriations provided the [board] authority for such purposes,
4 on vouchers approved by the director of social services."

5 SECTION 5. (a) The Hawaii paroling authority provided
6 for in this Act shall succeed to all of the rights and powers
7 exercised, and all of the duties and obligations incurred by
8 the part-time board of paroles and pardons that it replaces
9 in the exercise of the functions transferred. All references
10 in any law, rule, regulation, contract, or document to the
11 part-time board of paroles and pardons in connection with the
12 functions transferred by this Act shall apply to the newly estab-
13 lished Hawaii paroling authority established by this Act.

14 (b) All employees of the former part-time board of
15 paroles and pardons shall be transferred to the newly established
16 Hawaii paroling authority established by this Act. No employee
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19 employee benefit or privilege as a consequence of this Act. In
20 the event that an office or position held by any
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1 employee having tenure is abolished, the employee shall not
2 thereby be separated from public employment but shall remain
3 in the employment of the State with the same pay and classifi-
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6 the State.

7 (c) All records, equipment, files, supplies, contracts,
8 books, papers, documents, maps, appropriations, and other
9 property heretofore made, used, acquired, or held by the former
10 part-time board of paroles and pardons in the exercise of the
11 functions transferred by this Act shall be transferred to the
12 newly established Hawaii paroling authority established by this
13 Act.

14 (d) This Act does not affect rights and duties that
15 matured, penalties that were incurred, and proceedings that
16 were begun, before its effective date.

17 (e) The governor shall, by executive order, after the
18 appointment of the three members of the Hawaii paroling authority,
19 establish the date for the succession of rights and powers,
20 the assumption of all functions, and the transferrals provided
21 by this section and the members of the board of paroles and
22 pardons shall continue to serve until the appointment of all
23 members of the Hawaii paroling authority.
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1 SECTION 6. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$1.00, or so
3 much thereof as may be necessary, for the salary, wages, and
4 expenses of the Hawaii paroling authority members.

5 SECTION 7. The revisor of statutes shall change the name
6 of "board of paroles and pardons" to "Hawaii paroling authority"
7 wherever found in the Hawaii Revised Statutes, including, but
8 not limited to, sections 26-14, 353-65, 353-66, 353-67, 353-68,
9 353-69, 353-70, 353-71, 353-72, and also sections 669 and 670,
10 Hawaii Revised Statutes, title 37, Hawaii Penal Code.

11 SECTION 8. Statutory material to be repealed is bracketed.
12 New material is underscored. In printing this Act, the revisor
13 of statutes need not include the brackets, the bracketed material,
14 or the underscoring.

15 SECTION 9. This Act shall take effect upon its approval.
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STANDING COMMITTEE REPORT NO. 766-76

Honolulu, Hawaii

March 29, 1976

RE: S.B. No. 75
S.D. 2
H.D. 2

The Honorable James Wakatsuki
Speaker, House of Representatives
Eighth Legislature
Regular Session, 1976
State of Hawaii

Sir:

Your Committee on Finance to which was referred S.B. No. 75, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY", begs leave to report as follows:

The purpose of this bill is to reconstitute the board of paroles and pardons as the Hawaii paroling authority and the authority will consist of a full-time salaried chairman and two part-time paid members.

The general intent of this bill is to permit the parole system, whose mission is the protection of society on the one hand and the assistance in the rehabilitation of the offender on the other, to become more effective and efficient.

The present part-time board has often been frustrated in its effort to provide the necessary services demanded by the needs of the present parole system. The constraints of time, lack of technical knowledge and personal hardship on board members arising from the time they must take from their own jobs, have hampered the effectiveness of the board.

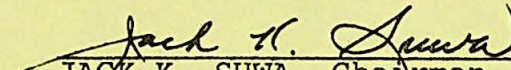
This bill provides for the full-time paid chairman and the two part-time paid members to be selected through submission of not less than three names for each vacancy to the governor. Your Committee has amended this bill to provide for compensation of the full-time chairman at \$26,076 annually, with the two part-time members receiving 90 per cent of the hourly wage paid the chairman. The board's salary and compensation amounts were arrived at after comparing the present Department Administrative Salary structure, the expected scope of responsibility of the paroling authority chairman and part-time members.

The full-time chairman will provide the organization for the required leadership in Hawaii's parole system by improving the decision making process and more effectively responding and reacting to the needs of the inmates and the general community.

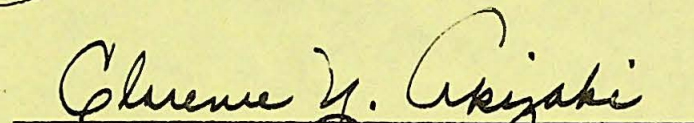
In addition to the salary change, your Committee has deleted the section making an appropriation, since funds to implement this bill have been budgeted for by the Administration. The section directing the revisor of statutes to make clarification changes has also been revised.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 75, S.D. 2, H.D. 1, as amended herein and recommends that it pass Third Reading in the form attached hereto as S.B. No. 75, S.D. 2, H.D. 2.

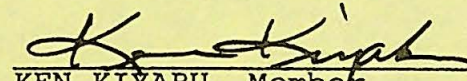
Respectfully submitted,


JACK K. SUWA, Chairman

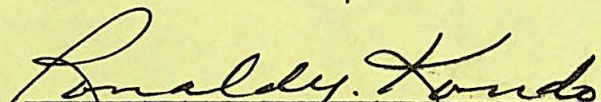

ALVIN T. AMARAL, Member


CLARENCE Y. AKIZARI, Vice Chairman


GEORGE W. CLARKE, Member


KEN KIYABU, Member

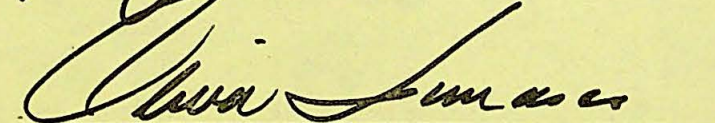

DAN S. HAKODA, Member



RONALD Y. KONDO, Member

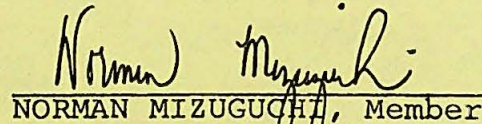

MINORU INABA, Member


TONY T. KUNITMURA, Member



KINAU BOYD KAMALII, Member



OLIVER LUNASCO, Member


DANIEL J. KIHANO, Member


NORMAN MIZUGUCHI, Member


TENNYSON LUM, Member


TED T. MORIOKA, Member


HENRY HAALILIO PETERS, Member

ORIGINAL

(To be made one and twelve copies)

THE SENATE

...EIGHTH... LEGISLATURE, 1976...

STATE OF HAWAII

S.B. NO. S.B. No. 75
S.D. 2
H.D. 2

A BILL FOR AN ACT

RELATING TO THE HAWAII PAROLING AUTHORITY.

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

1 SECTION 1. The purpose of this Act is to reconstitute the
2 board of paroles and pardons as a professional board with
3 full-time paid chairman and part-time paid members in order more
4 effectively and efficiently to achieve the dual and inseparable
5 purposes of parole, the protection of society on the one hand and
6 the rehabilitation of the offender on the other.

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

9 "Sec. 353-61 [Board of paroles and pardons;] Hawaii paroling
10 authority; appointment; tenure[.]; qualifications. Members of
11 the paroling authority shall be nominated by a panel composed
12 of the chief justice of the Hawaii supreme court, the director
13 of the department of social services, the president of the Hawaii
14 correctional association, the president of the Hawaii bar asso-
15 ciation of Hawaii, the head of the Hawaii council of churches,
16 a member from the general public to be appointed by the governor
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1 and the president of the Hawaii chapter of the national associa-
2 tion of social workers. The panel shall submit to the governor
3 the names of not less than three persons, designated as the nominees,
4 for chairman or as a member, for each vacancy. The governor shall
5 appoint, in the manner prescribed by section 26-34, a [board]
6 paroling authority to be known as the [board of paroles and pardons]
7 Hawaii paroling authority, to consist of [five] three members [who
8 shall be appointed for terms of four years and] one of whom shall
9 be designated [by the appointing power as] chairman. [All] Of the
10 members first appointed after the effective date of this Act, the
11 member designated as chairman shall be appointed for a term of four
12 years, one member shall be appointed for a term of three years, and
13 one member shall be appointed for a term of two years; thereafter
14 all appointments shall be made for terms of four years, commencing
15 from the date of expiration of the last preceding term. Any vacancy
16 in an unexpired term shall be filled by appointment for the remainder
17 of the unexpired term. Nominees to the authority shall be selected
18 on the basis of their qualifications to make decisions that will be
19 compatible with the welfare of the community and of individual
20 offenders, including their background and ability for appraisal of
21 offenders and the circumstances under which offenses were committed."
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1 SECTION 3. Section 353-62, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "Sec. 353-62 [Acting chairman, meetings, records, reports,
4 clerical assistance. In case of the temporary absence or
5 illness of the chairman, an acting chairman may be appointed in
6 the manner provided by section 26-32. In case of the absence
7 from any meeting of the chairman or acting chairman the members
8 present may elect any member to act as chairman at the meeting.
9 The board of paroles and pardons shall hold a regular meeting at
10 least once in every month. A record of all meetings and pro-
11 ceedings of the board shall be kept, and a detailed report of
12 its work shall be sent to the governor every three months. In
13 all matters the board shall act by a majority of its members.
14 The board shall appoint its own administrative secretary and
15 such other clerical assistants as may be necessary within the
16 limits of available appropriations, subject to any applicable
17 salary classification and civil service schedules, laws, and
18 regulations.] Hawaii paroling authority; responsibilities and
19 duties; operations; records, reports, staff. (a) In addition
20 to any other responsibility or duty prescribed by law for the
21 Hawaii paroling authority, the paroling authority shall:

- 22 (1) Serve as the central paroling authority for the
23 State;

- 1 (2) In selecting individuals for parole, consider for
2 parole all committed persons, except in cases where the
3 penalty of life imprisonment not subject to parole has
4 been imposed, regardless of the nature of the offense
5 committed;
- 6 (3) Determine the time at which parole shall be granted
7 to any eligible individual as that time at which
8 maximum benefits of the correctional institutions
9 to the individual have been reached and the element
10 of risk to the community is minimal;
- 11 (4) Establish rules of operation to determine conditions
12 of parole applicable to any individual granted parole;
- 13 (5) Provide continuing custody, control, and supervision
14 of paroled individuals;
- 15 (6) Revoke or suspend parole and provide for the authori-
16 zation of return to a correctional institution for
17 any individual who violates parole or any condition
18 of parole;
- 19 (7) Discharge an individual from parole when supervision
20 is no longer needed;
- 21 (8) Interpret the parole program to the public in order
22 to develop a broad base of public understanding and
23 support; and

(9) Recommend to the legislature sound parole legislation
and recommend to the governor sound parole administra-
tion.

(b) In its operations the paroling authority shall:

(1) Keep and maintain a record of all meetings and
proceedings;

(2) Send a detailed report of its operations to the
governor every three months;

(3) In promulgating rules, conform to chapter 91;

(4) In all matters act by a majority of its members; and

(5) Appoint an administrative secretary and such other
clerical and other assistants as may be necessary
within the limits of available appropriations, subject
to any applicable salary classification and civil
service schedules, laws, and rules."

SECTION 4. Section 353-63, Hawaii Revised Statutes, is
amended to read as follows:

"Sec. 353-63 Service of [board] Hawaii paroling authority
members [without pay;] compensation; expenses. The [members]
chairman of the [board of paroles and pardons] Hawaii paroling
authority shall serve [without pay, but] on a full-time basis.
The other two members shall serve on a part-time basis. The annual
salary of the chairman shall be \$26,076. The Compensation
of each of the members shall be ninety per cent of the hourly
wage paid the chairman. All

1 paroling authority members shall receive their necessary expenses
2 for [traveling] travel and incidentals which shall be paid from
3 appropriations provided the [board] authority for such purposes,
4 on vouchers approved by the director of social services."

5 SECTION 5. (a) The Hawaii paroling authority provided
6 for in this Act shall succeed to all of the rights and powers
7 exercised, and all of the duties and obligations incurred by
8 the part-time board of paroles and pardons that it replaces
9 in the exercise of the functions transferred. All references
10 in any law, rule, regulation, contract, or document to the
11 part-time board of paroles and pardons in connection with the
12 functions transferred by this Act shall apply to the newly estab-
13 lished Hawaii paroling authority established by this Act.

14 (b) All employees of the former part-time board of
15 paroles and pardons shall be transferred to the newly established
16 Hawaii paroling authority established by this Act. No employee
17 of the State having tenure shall suffer any loss of salary,
18 seniority, prior service credit, vacation, sick leave, or other
19 employee benefit or privilege as a consequence of this Act. In
20 the event that an office or position held by any
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1 employee having tenure is abolished, the employee shall not
2 thereby be separated from public employment but shall remain
3 in the employment of the State with the same pay and classifi-
4 cation and shall be transferred to some other office or position
5 for which the employee is eligible under the personnel laws of
6 the State.

7 (c) All records, equipment, files, supplies, contracts,
8 books, papers, documents, maps, appropriations, and other
9 property heretofore made, used, acquired, or held by the former
10 part-time board of paroles and pardons in the exercise of the
11 functions transferred by this Act shall be transferred to the
12 newly established Hawaii paroling authority established by this
13 Act.

14 (d) This Act does not affect rights and duties that
15 matured, penalties that were incurred, and proceedings that
16 were begun, before its effective date.

17 (e) The governor shall, by executive order, after the
18 appointment of the three members of the Hawaii paroling authority,
19 establish the date for the succession of rights and powers,
20 the assumption of all functions, and the transferrals provided
21 by this section and the members of the board of paroles and
22 pardons shall continue to serve until the appointment of all
23 members of the Hawaii paroling authority.
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1 SECTION 6. To conform to the purpose of this Act, the
2 revisor of statutes shall change "board of paroles and pardons",
3 "parole board", and "board" to "Hawaii paroling authority",
4 "paroling authority", and "authority" as the context requires
5 wherever found in the Hawaii Revised Statutes, including, but
6 not limited to, sections 26-14, 353-65, 353-66, 353-67, 353-68,
7 353-69, 353-70, 353-71, 353-72, 706-669 and 706-670, Hawaii
8 Revised Statutes.

9 SECTION 7. Statutory material to be repealed is bracketed.
10 New material is underscored. In printing this Act, the revisor
11 of statutes need not include the brackets, the bracketed material,
12 or the underscoring.

13 SECTION 8. This Act shall take effect upon its approval.
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STATE OF HAWAII
HOUSE OF REPRESENTATIVES
THE EIGHTH LEGISLATURE

RECORD OF VOTES

On S.B. 75, SD 2, HD 2
3 R

MEMO	REPRESENTATIVES	AYES	NOES	EXCUSED
	ABERCROMBIE, Neil			
	AJIFU, Ralph K.			
	AKIZAKI, Clarence Y.			
	AMARAL, Alvin T.			
	BLAIR, Russell			
	CARROLL, John S.			
	CAYETANO, Ben			
	CLARKE, George W.			
	COBB, Steve			
	EVANS, Faith			
	FONG, Hiram L. Jr.			
	GARCIA, Richard			
	HAKODA, Dan			
	HO, Richard C. S.			
	IKEDA, Donna			
	INABA, Minoru			
	KAMALII, Kinau Boyd			
	KAWAKAMI, Richard			
	KIHANO, Daniel J.			
	KIMURA, Robert			
	KIYABU, Ken			
	KONDO, Ronald Y.			
	KUNIMURA, Tony T.			
	LARSEN, Jack			
	LEE, Kenneth K. L.			
	LUM, Tennyson			
	LUNASCO, Oliver			
	MACHIDA, Gerald K.			
	MEDEIROS, John J.			
	MIZUGUCHI, Norman			
	MORIOKA, Ted T.			✓
	NAITO, Lisa			
	ODA, Howard K.			
	PETERS, Henry H.			
	POEPOE, Andrew K.			
	ROEHRIG, Stanley H.			
	SAKIMA, Akira			
	SANTOS, Velma M.			
	SEGAWA, Herbert A.			
	SHITO, Mitsuo			
	STANLEY, Kathleen			
	SUTTON, Richard Ike			
	SUWA, Jack K.			
	TAKAMINE, Yoshito			
	TAKAMURA, Carl T.			
	UECHI, Mitsuo			
	USHIJIMA, Charles T.			
	YAMADA, Dennis			
	YAP, Ted			
	YUEN, Jann L.			
	MR. SPEAKER			
	TOTAL	50		1

DATE MAR 30 1970

CHIEF CLERK

George N. Jahan

Speaker
 JAMES H. WAKATSUKI
 Vice Speaker
 RICHARD GARCIA
 Assistant Vice Speaker
 TED YAP
 Majority Leader
 CHARLES T. USHJIMA
 Majority Floor Leader
 ROBERT KIMURA
 First District
 JACK K. SUWA
 Second District
 STANLEY H. ROEHRIG
 HERBERT A. SEGAWA
 Third District
 **YOSHITO TAKAMINE
 Fourth District
 MINORU INABA
 Fifth District
 ‡ALVIN T. AMARAL
 GERALD K. MACHIDA
 Sixth District
 **RONALD Y. KONDO
 VELMA M. SANTOS
 Seventh District
 DONNA R. IKEDA
 TENNYSON K.W. LUM
 Eighth District
 *STEVE COBB
 JACK LARSEN
 Ninth District
 DAN S. HAKODA
 **TED T. MORIOKA
 Tenth District
 KEN KIYABU
 **LISA NAITO
 Eleventh District
 JOHN S. CARROLL
 ‡KINAU BOYD KAMALII
 Twelfth District
 CLARENCE Y. AKIZAKI
 CARL T. TAKAMURA
 Thirteenth District
 **NEIL ABERCROMBIE
 ‡HIRAM L. FONG, JR.
 CHARLES T. USHJIMA
 Fourteenth District
 RUSSELL BLAIR
 KATHLEEN STANLEY
 Fifteenth District
 ROBERT KIMURA
 RICHARD IKE SUTTON
 Sixteenth District
 AKIRA SAKIMA
 TED YAP
 Seventeenth District
 RICHARD GARCIA
 KENNETH LEE
 Eighteenth District
 MITSUO UECHI
 JAMES H. WAKATSUKI
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 GEORGE W. CLARKE
 Twenty-Fourth District
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 FAITH P. EVANS
 Twenty-Fifth District
 JOHN J. MEDEIROS
 †ANDREW K. POEPOE
 Twenty-Sixth District
 JANN L. YUEN
 Twenty-Seventh District
 RICHARD A. KAWAKAMI
 **TONY T. KUNIMURA
 DENNIS R. YAMADA

HOUSE OF REPRESENTATIVES THE EIGHTH LEGISLATURE

STATE OF HAWAII
 STATE CAPITOL
 HONOLULU, HAWAII 96813



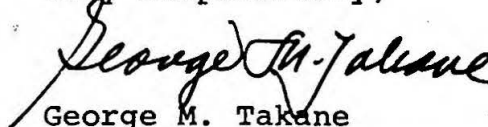
March 30, 1976

To the Honorable President and
 Members of the Senate of the
 State of Hawaii

Sirs:

I have the honor to return herewith Senate
 Bill No. 75, S. D. 2 which
 this day passed Third Reading in the House of
 Representatives of the Eighth Legislature of the
 State of Hawaii, Regular Session of 1976, in the
 amended form (House Draft 2) hereto attached.

Very respectfully,


 George M. Takane

Clerk, House of Representatives

*Assistant Majority Leader
 **Assistant Majority Floor Leader
 †Minority Leader
 ††Minority Floor Leader
 ‡Assistant Minority Floor Leader

S. B. No. 75

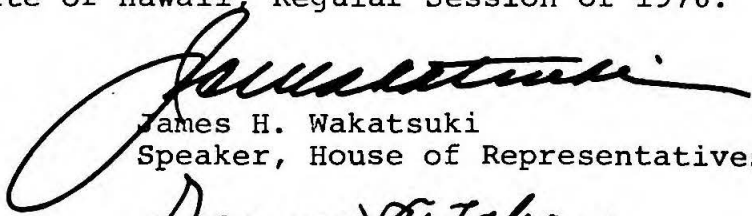
S.D. 2

H.D. 2

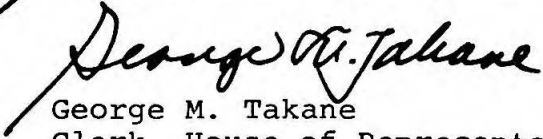
THE HOUSE OF REPRESENTATIVES OF THE
STATE OF HAWAII

Date: March 30, 1976
Honolulu, Hawaii

We hereby certify that the foregoing Bill this day passed
Third Reading in the House of Representatives of the Eighth
Legislature of the State of Hawaii, Regular Session of 1976.



James H. Wakatsuki
Speaker, House of Representatives



George M. Takane
Clerk, House of Representatives

April 1, 1976

To the Honorable Speaker and
Members of the House of Representatives
of the State of Hawaii

S i r s :

This is to inform your Honorable Body
that the Senate has disagreed to the amendments
proposed by the House to Senate Bill No. 75, S. D. 2,
and has requested a conference on the subject
matter thereof, in consequence of which the
President has this day appointed Senators Donald
S. Nishimura, Chairman; Stanley I. Hara, Anson
Chong, Dennis O'Connor and Mary George as
Managers on the part of the Senate for the
consideration of said amendments. (H. D. 2)

Respectfully,

Clerk of the Senate

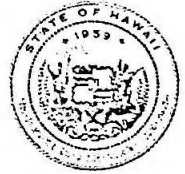
Speaker
JAMES H. WAKATSUKI
Vice Speaker
RICHARD GARCIA
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ROBERT KIMURA
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CLARENCE Y. AKIZAKI
CARL T. TAKAMURA
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RUSSELL BLAIR
KATHLEEN STANLEY
Fifteenth District
ROBERT KIMURA
RICHARD IKE SUTTON
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Seventeenth District
RICHARD GARCIA
KENNETH LEE
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†ANDREW K. POEPOE
Twenty-Sixth District
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Twenty-Seventh District
RICHARD A. KAWAKAMI
**TONY T. KUNIMURA
DENNIS R. YAMADA

*Assistant Majority Leader
**Assistant Majority Floor Leader
*Minority Leader
††Minority Floor Leader
‡Assistant Minority Floor Leader

HOUSE OF REPRESENTATIVES THE EIGHTH LEGISLATURE

STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813

April 2, 1976



HOUSE COMMUNICATION No. 387

To the Honorable President and
Members of the Senate of the
State of Hawaii

Sirs:

This is to inform your Honorable Body that
pursuant to the disagreement of the Senate to
the amendments proposed by the House to Senate
Bill No. 75, S. D. 2 and your request for
a conference on the subject matter of said amendments,
the Speaker has this day appointed Representatives
Roehrig, Chairman, Kondo, Stanley and Medeiros as
Managers on the part of the House for the consideration
of said amendments. (H. D. 2)

Very respectfully,

George M. Takane
George M. Takane
Clerk, House of Representatives

ORIGINAL

CONFERENCE COMMITTEE REPORT NO.

32-76

Honolulu, Hawaii

April 14, 1976

The Honorable John T. Ushijima
President of the Senate
Eighth Legislature
Regular Session, 1976
State of Hawaii

Sir:

RE: S.B. No. 75, S.D. 2, H.D. 2

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 75, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY.",
having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to reconstitute the board of paroles and pardons in order to more effectively and efficiently achieve the dual and inseparable purposes of parole, the protection of society on the one hand and the rehabilitation of the offender on the other.

The present part-time board is often frustrated in its effort to provide the necessary services demanded by the needs of the present parole system. The constraints of time, lack of technical knowledge and personal hardship on commission members arising from the time they must take from their own jobs, have hampered the effectiveness of the board.

Your Committee upon further consideration recommends that this bill be amended as follows:

(1) setting the annual salary of the chairman at \$37,500. Your Committee finds that the position of chairman of the Hawaii Paroling Authority is an extremely critical position in the criminal justice and corrections system. He is the chairman of a paroling authority that is charged with, among other things, the responsibility of determining the time at which parole should be granted; establishing rules of operation to determine conditions of parole applicable to

any individual granted parole; providing continuing custody, control and supervision of paroled individuals; revoking or suspending parole; discharging an individual from parole when supervision is no longer needed; interpreting the parole program to the public in order to develop a broad base of public understanding and support; and recommending to the legislature sound parole legislation and recommending to the governor sound parole administration. To fulfill those responsibilities, the paroling authority will have to consider among other things, the risk to the community in paroling a committed person and the benefits that the committed person has secured in the correctional institution. Decisions which may have a substantial effect on various communities in the State must be made, and it is crucial that they be based on sound reasoning. Accordingly, it is imperative that a highly qualified and trained chairman be appointed. In order to induce that type of person to apply for and remain in that position, the annual compensation must be commensurate with his responsibility. Your Committee finds that an annual salary of \$37,500 is appropriate, and that a continuing review of that salary is needed to ensure the retention of a qualified person.

Your Committee also feels that the chairman should be versed in criminal law so that he can appreciate the crime for which the committed person was convicted and can suggest conditions to parole which may preclude the committed person from committing the same offense.

(2) changing the compensation of the members from 90% of the hourly wage paid the chairman to 80%.

(3) changing the mandatory requirement that all employees of the former part-time board of paroles and pardons be transferred to the newly established Hawaii Paroling Authority to a discretionary one.

(4) adding a new section which amends Section 26-14, Hawaii Revised Statutes, by removing the Hawaii Paroling Authority from the administrative control of the Department of Social Services and Housing. With this amendment the Hawaii Paroling Authority is placed within the Department of Social Services and Housing for administrative purposes only. Your Committee strongly feels that not only should the members of the Hawaii Paroling Authority be adequately compensated, but also that the Hawaii Paroling Authority should be an autonomous body, since independent decisions are desired.

Your Committee on Conference is in accord with the intent and

32-76

purpose of S.B. No. 75, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 75, S.D. 2, H.D. 2, C.D. 1.

Respectfully submitted,

MANAGERS ON THE PART OF THE
HOUSE


STANLEY H. ROEHRIG, Chairperson

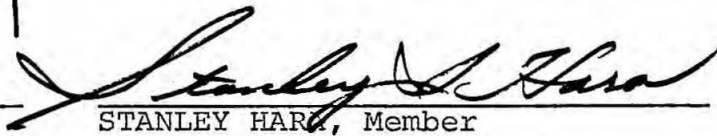

RONALD Y. KONDO, Member


KATHLEEN STANLEY, Member


JOHN J. MEDEIROS, Member

MANAGERS ON THE PART OF THE
SENATE


DONALD S. NISHIMURA, Chairperson


STANLEY HARA, Member


DENNIS O'CONNOR, Member


ANSON CHONG, Member


MARY GEORGE, Member

A BILL FOR AN ACT

RELATING TO THE HAWAII PAROLING AUTHORITY.

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

1 SECTION 1. The purpose of this Act is to reconstitute the
2 board of paroles and pardons as a professional board with
3 full-time paid chairman and part-time paid members in order more
4 effectively and efficiently to achieve the dual and inseparable
5 purposes of parole, the protection of society on the one hand and
6 the rehabilitation of the offender on the other.

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

9 "Sec. 353-61 [Board of paroles and pardons;] Hawaii paroling
10 authority; appointment; tenure[.]; qualifications. Members of
11 the paroling authority shall be nominated by a panel composed
12 of the chief justice of the Hawaii supreme court, the director
13 of the department of social services, the president of the Hawaii
14 correctional association, the president of the Hawaii bar asso-
15 ciation of Hawaii, the head of the Hawaii council of churches,
16 a member from the general public to be appointed by the governor

17

18

1 and the president of the Hawaii chapter of the national associa-
2 tion of social workers. The panel shall submit to the governor
3 the names of not less than three persons, designated as the nominees,
4 for chairman or as a member, for each vacancy. The governor shall
5 appoint, in the manner prescribed by section 26-34, a [board]
6 paroling authority to be known as the [board of paroles and pardons]
7 Hawaii paroling authority, to consist of [five] three members [who
8 shall be appointed for terms of four years and] one of whom shall
9 be designated [by the appointing power as] chairman. [All] Of the
10 members first appointed after the effective date of this Act, the
11 member designated as chairman shall be appointed for a term of four
12 years, one member shall be appointed for a term of three years, and
13 one member shall be appointed for a term of two years; thereafter
14 all appointments shall be made for terms of four years, commencing
15 from the date of expiration of the last preceding term. Any vacancy
16 in an unexpired term shall be filled by appointment for the remainder
17 of the unexpired term. Nominees to the authority shall be selected
18 on the basis of their qualifications to make decisions that will be
19 compatible with the welfare of the community and of individual
20 offenders, including their background and ability for appraisal of
21 offenders and the circumstances under which offenses were committed."
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23
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25

SECTION 3. Section 353-62, Hawaii Revised Statutes, is amended to read as follows:

"Sec. 353-62 [Acting chairman, meetings, records, reports, clerical assistance. In case of the temporary absence or illness of the chairman, an acting chairman may be appointed in the manner provided by section 26-32. In case of the absence from any meeting of the chairman or acting chairman the members present may elect any member to act as chairman at the meeting.

The board of paroles and pardons shall hold a regular meeting at least once in every month. A record of all meetings and proceedings of the board shall be kept, and a detailed report of its work shall be sent to the governor every three months. In all matters the board shall act by a majority of its members.

The board shall appoint its own administrative secretary and such other clerical assistants as may be necessary within the limits of available appropriations, subject to any applicable salary classification and civil service schedules, laws, and regulations.] Hawaii paroling authority; responsibilities and duties; operations; records, reports, staff. (a) In addition to any other responsibility or duty prescribed by law for the Hawaii paroling authority, the paroling authority shall:

- (1) Serve as the central paroling authority for the State;

1 (2) In selecting individuals for parole, consider for
2 parole all committed persons, except in cases where the
3 penalty of life imprisonment not subject to parole has
4 been imposed, regardless of the nature of the offense
5 committed;

6 (3) Determine the time at which parole shall be granted
7 to any eligible individual as that time at which
8 maximum benefits of the correctional institutions
9 to the individual have been reached and the element
10 of risk to the community is minimal;

11 (4) Establish rules of operation to determine conditions
12 of parole applicable to any individual granted parole;

13 (5) Provide continuing custody, control, and supervision
14 of paroled individuals;

15 (6) Revoke or suspend parole and provide for the authori-
16 zation of return to a correctional institution for
17 any individual who violates parole or any condition
18 of parole;

19 (7) Discharge an individual from parole when supervision
20 is no longer needed;

21 (8) Interpret the parole program to the public in order
22 to develop a broad base of public understanding and
23 support; and
24

(9) Recommend to the legislature sound parole legislation
and recommend to the governor sound parole administra-
tion.

(b) In its operations the paroling authority shall:

(1) Keep and maintain a record of all meetings and
proceedings;

(2) Send a detailed report of its operations to the
governor every three months;

(3) In promulgating rules, conform to chapter 91;

(4) In all matters act by a majority of its members; and

(5) Appoint an administrative secretary and such other
clerical and other assistants as may be necessary
within the limits of available appropriations, subject
to any applicable salary classification and civil
service schedules, laws, and rules."

SECTION 4. Section 353-63, Hawaii Revised Statutes, is
amended to read as follows:

"Sec. 353-63 Service of [board] Hawaii paroling authority
members [without pay;] compensation; expenses. The [members]
chairman of the [board of paroles and pardons] Hawaii paroling
authority shall serve [without pay, but] on a full-time basis.
The other two members shall serve on a part-time basis. The annual
salary of the chairman shall be \$37,500. The compensation of each
of the members shall be eighty per cent of the hourly wage paid the
chairman. All

1 paroling authority members shall receive their necessary expenses
2 for [traveling] travel and incidentals which shall be paid from
3 appropriations provided the [board] authority for such purposes,
4 on vouchers approved by the director of social services."

5 SECTION 5. (a) The Hawaii paroling authority provided
6 for in this Act shall succeed to all of the rights and powers
7 exercised, and all of the duties and obligations incurred by
8 the part-time board of paroles and pardons that it replaces
9 in the exercise of the functions transferred. All references
10 in any law, rule, regulation, contract, or document to the
11 part-time board of paroles and pardons in connection with the
12 functions transferred by this Act shall apply to the newly estab-
13 lished Hawaii paroling authority established by this Act.

14 (b) All employees of the former part-time board of
15 paroles and pardons may be transferred to the newly established
16 Hawaii paroling authority established by this Act. No employee
17 of the State having tenure shall suffer any loss of salary,
18 seniority, prior service credit, vacation, sick leave, or other
19 employee benefit or privilege as a consequence of this Act. In
20 the event that an office or position held by any _____
21 _____
22 _____
23 _____
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25 _____

1 employee having tenure is abolished, the employee shall not
2 thereby be separated from public employment but shall remain
3 in the employment of the State with the same pay and classifi-
4 cation and shall be transferred to some other office or position
5 for which the employee is eligible under the personnel laws of
6 the State.

7 (c) All records, equipment, files, supplies, contracts,
8 books, papers, documents, maps, appropriations, and other
9 property heretofore made, used, acquired, or held by the former
10 part-time board of paroles and pardons in the exercise of the
11 functions transferred by this Act shall be transferred to the
12 newly established Hawaii paroling authority established by this
13 Act.

14 (d) This Act does not affect rights and duties that
15 matured, penalties that were incurred, and proceedings that
16 were begun, before its effective date.

17 (e) The governor shall, by executive order, after the
18 appointment of the three members of the Hawaii paroling authority,
19 establish the date for the succession of rights and powers;
20 the assumption of all functions, and the transferrals provided
21 by this section and the members of the board of paroles and
22 pardons shall continue to serve until the appointment of all
23 members of the Hawaii paroling authority.
24
25

1 SECTION 6. Section 26-14, Hawaii Revised Statutes, is amended
2 to read as follows:

3 "Sec. 26-14 Department of social services and housing. The
4 department of social services and housing shall be headed by a single
5 executive to be known as the director of social services.

6 There shall be within the department of social services and
7 housing a commission to be known as the board of social services
8 which shall sit in an advisory capacity to the director of social
9 services on matters within the jurisdiction of the department of
10 social services and housing. The board shall consist of nine mem-
11 bers, one from each senatorial district and three at large, and
12 the director of health as an ex officio nonvoting member.

13 There shall also be within the department a commission to be
14 known as the board of vocational rehabilitation which shall sit in
15 an advisory capacity to the head of that division charged with the
16 administration of vocational rehabilitation laws and allied services.
17 The board shall consist of eleven members, one from each judicial
18 circuit and four at large, with the directors of health and labor,
19 and the superintendent of education, as ex officio voting members.

20 The department shall administer programs designed to improve
21 the social well-being and productivity of the people of the State.
22 Without limit to the generality of the foregoing, the department
23 shall concern itself with the problems of human behavior, adjust-
24 ment, and daily living through the administration of programs of
25

1 family, child and adult welfare, economic assistance (including
2 costs of medical care), rehabilitation toward self-care and support,
3 delinquency prevention and control, treatment and rehabilitation of
4 adult and juvenile offenders, public housing, and other related
5 programs as provided by law.

6 The Hawaii housing authority, as now constituted by chapter
7 356 shall be a constituent corporate unit of the department of social
8 services and housing with the director of social services as an
9 additional commissioner, ex officio, of the housing authority, serving
10 for a term consistent with his appointment. Notwithstanding any
11 other provisions of this chapter, but subject to the administrative
12 control of the director of social services, the functions, duties,
13 and powers of the housing authority, as heretofore provided by law,
14 shall be vested in the Hawaii housing authority.

15 The [board of paroles and pardons] Hawaii paroling authority is
16 placed within the department of social services and housing for
17 administrative purposes only. [The functions, duties, and powers,
18 subject to the administrative control of the director of social
19 services, and the composition of the board shall be as heretofore
20 provided by law.]

21 The functions and authority heretofore exercised by the depart-
22 ment of public welfare, the department of institutions (except for
23 Waimano home and the state hospital transferred to the department of
24 health), the boards of prison inspectors, the bureau of sight con-
25 servation and work with the blind (except for the transcription,

1 services program transferred to the department of education), the
2 council on veterans' affairs, and any other agency of the state or
3 county governments with respect to the assistance and care of the
4 indigent and medically indigent as heretofore constituted are
5 transferred to the department of social services and housing
6 established by this chapter."

7 SECTION 7. There is appropriated out of the general revenues
8 of the State of Hawaii the sum of \$1.00, or so much thereof as may
9 be necessary, for the salary, wages, and expenses of the Hawaii
10 paroling authority members.

11 SECTION 8. The revisor of statutes shall change the name of
12 "board of paroles and pardons" to "Hawaii paroling authority"
13 wherever found in the Hawaii Revised Statutes, including, but not
14 limited to, sections 26-14, 353-65, 353-66, 353-67, 353-68, 353-69,
15 353-70, 353-71, 353-72, and also sections 669 and 670, Hawaii
16 Revised Statutes, title 37, Hawaii Penal Code.

17 SECTION 9. Statutory material to be repealed is bracketed.
18 New material is underscored. In printing this Act, the revisor
19 of statutes need not include the brackets, the bracketed material,
20 or the underscoring.

21 SECTION 10. This Act shall take effect upon its approval.
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THE SENATE

THE EIGHTH LEGISLATURE
OF THE STATE OF HAWAII

RECORD OF VOTES

On S.B. NO. 75, SDR, HDR, CDI

Final Reading

Memo	SENATORS	Aye	No	Excused
	ANDERSON, D. G.	/		
	CHING, Donald D. H.	/		
	CHONG, Anson	/		
	GEORGE, Mary	/		
	HARA, Stanley I.	/		
	HENDERSON, Richard	/		
	HULTEN, John J.	/		
	KAWASAKI, Duke T.	/		
	KING, Jean	/		
	KURODA, Joseph T.	/		
	LEOPOLD, John	/		
	NISHIMURA, Donald S.	/		
	O'CONNOR, Dennis	/		
	SAIKI, Patricia	/		
	SOARES, W. Buddy	/		
	TAIRA, Robert S.	/		
	TAKITANI, Henry	/		
	TOYOFUKU, George H.	/		
	WONG, Francis A.	/		
	WONG, Richard S. H.	/		
	YAMASAKI, Mamoru	/		
	YEE, Wadsworth	/		
	YIM, T. C.	/		
	YOUNG, Patsy K.	/		
	MR. PRESIDENT	/		
	TOTAL	<i>21</i>		

S. Hara

Clerk of the Senate

DATE: _____

4/20 197 *6*

Honolulu, Hawaii

April 12, 1976

RE: S.B. No. 75

S.D. 2

H.D. 2

C.D. 1

The Honorable James Wakatsuki
Speaker, House of Representatives
Eighth Legislature
Regular Session, 1976
State of Hawaii

Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 75, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY", having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to reconstitute the board of paroles and pardons in order to more effectively and efficiently achieve the dual and inseparable purposes of parole, the protection of society on the one hand and the rehabilitation of the offender on the other.

The present part-time board is often frustrated in its effort to provide the necessary services demanded by the needs of the present parole system. The constraints of time, lack of technical knowledge and personal hardship on commission members arising from the time they must take from their own jobs, have hampered the effectiveness of the board.

Your Committee upon further consideration recommends that this bill be amended as follows:

(1) setting the annual salary of the chairman at \$37,500. Your Committee finds that the position of chairman of the Hawaii Paroling Authority is an extremely critical position in the criminal justice and corrections system. He is the chairman of a paroling authority that is charged with, among other things, the responsibility of determining the time at which parole should be granted; establishing rules of operation to determine conditions of parole applicable to

any individual granted parole; providing continuing custody, control and supervision of paroled individuals; revoking or suspending parole; discharging an individual from parole when supervision is no longer needed; interpreting the parole program to the public in order to develop a broad base of public understanding and support; and recommending to the legislature sound parole legislation and recommending to the governor sound parole administration. To fulfill those responsibilities, the paroling authority will have to consider among other things, the risk to the community in paroling a committed person and the benefits that the committed person has secured in the correctional institution. Decisions which may have a substantial effect on various communities in the State must be made, and it is crucial that they be based on sound reasoning. Accordingly, it is imperative that a highly qualified and trained chairman be appointed. In order to induce that type of person to apply for and remain in that position, the annual compensation must be commensurate with his responsibility. Your Committee finds that an annual salary of \$37,500 is appropriate, and that a continuing review of that salary is needed to ensure the retention of a qualified person.

Your Committee also feels that the chairman should be versed in criminal law so that he can appreciate the crime for which the committed person was convicted and can suggest conditions to parole which may preclude the committed person from committing the same offense.

(2) changing the compensation of the members from 90% of the hourly wage paid the chairman to 80%.

(3) changing the mandatory requirement that all employees of the former part-time board of paroles and pardons be transferred to the newly established Hawaii Paroling Authority to a discretionary one.

(4) adding a new section which amends Section 26-14, Hawaii Revised Statutes, by removing the Hawaii Paroling Authority from the administrative control of the Department of Social Services and Housing. With this amendment the Hawaii Paroling Authority is placed within the Department of Social Services and Housing for administrative purposes only. Your Committee strongly feels that not only should the members of the Hawaii Paroling Authority be adequately compensated, but also that the Hawaii Paroling Authority should be an autonomous body, since independent decisions are desired.

Your Committee on Conference is in accord with the intent and

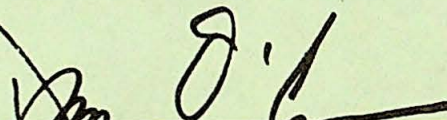
purpose of S.B. No. 75, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 75, S.D. 2, H.D. 2, C.D. 1.

Respectfully submitted,

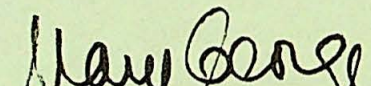
MANAGERS ON THE PART OF THE
SENATE


DONALD S. NISHIMURA, Chairperson

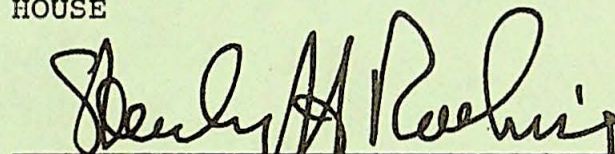
STANLEY HARA, Member

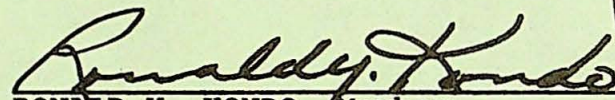

DENNIS O'CONNOR, Member

ANSON CHONG, Member


MARY GEORGE, Member

MANAGERS ON THE PART OF THE
HOUSE


STANLEY H. ROTHRIG, Chairperson


RONALD Y. KONDO, Member


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

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

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11 the paroling authority shall be nominated by a panel composed
12 of the chief justice of the Hawaii supreme court, the director
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14 correctional association, the president of the Hawaii bar asso-
15 ciation of Hawaii, the head of the Hawaii council of churches,
16 a member from the general public to be appointed by the governor

1 and the president of the Hawaii chapter of the national associa-
2 tion of social workers. The panel shall submit to the governor
3 the names of not less than three persons, designated as the nominees,
4 for chairman or as a member, for each vacancy. The governor shall
5 appoint, in the manner prescribed by section 26-34, a [board]
6 paroling authority to be known as the [board of paroles and pardons]
7 Hawaii paroling authority, to consist of [five] three members [who
8 shall be appointed for terms of four years and] one of whom shall
9 be designated [by the appointing power as] chairman. [All] Of the
10 members first appointed after the effective date of this Act, the
11 member designated as chairman shall be appointed for a term of four
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S.D. NO.

75
S.D. 2
H.D. 2
C.D. 1

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The other two members shall serve on a part-time basis. The annual
salary of the chairman shall be \$37,500. The compensation of each
of the members shall be eighty per cent of the hourly wage paid the
chairman. All

1 paroling authority members shall receive their necessary expenses
2 for [traveling] travel and incidentals which shall be paid from
3 appropriations provided the [board] authority for such purposes,
4 on vouchers approved by the director of social services."

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6 for in this Act shall succeed to all of the rights and powers
7 exercised, and all of the duties and obligations incurred by
8 the part-time board of paroles and pardons that it replaces
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19 services, and the composition of the board shall be as heretofore
20 provided by law.]

21 The functions and authority heretofore exercised by the depart-
22 ment of public welfare, the department of institutions (except for
23 Waimano home and the state hospital transferred to the department of
24 health), the boards of prison inspectors, the bureau of sight con-
25 servation and work with the blind (except for the transcription

1 services program transferred to the department of education), the
2 council on veterans' affairs, and any other agency of the state or
3 county governments with respect to the assistance and care of the
4 indigent and medically indigent as heretofore constituted are
5 transferred to the department of social services and housing
6 established by this chapter."

7 SECTION 7. There is appropriated out of the general revenues
8 of the State of Hawaii the sum of \$1.00, or so much thereof as may
9 be necessary, for the salary, wages, and expenses of the Hawaii
10 paroling authority members.

11 SECTION 8. The revisor of statutes shall change the name of
12 "board of paroles and pardons" to "Hawaii paroling authority"
13 wherever found in the Hawaii Revised Statutes, including, but not
14 limited to, sections 26-14, 353-65, 353-66, 353-67, 353-68, 353-69,
15 353-70, 353-71, 353-72, and also sections 669 and 670, Hawaii
16 Revised Statutes, title 37, Hawaii Penal Code.

17 SECTION 9. Statutory material to be repealed is bracketed.
18 New material is underscored. In printing this Act, the revisor
19 of statutes need not include the brackets, the bracketed material,
20 or the underscoring.

21 SECTION 10. This Act shall take effect upon its approval.
22
23
24
25

STATE OF HAWAII
HOUSE OF REPRESENTATIVES
THE EIGHTH LEGISLATURE

RECORD OF VOTES

On S.B. 75, SD2, HD2, CD1
Final Reading

MEMO	REPRESENTATIVES	AYES	NOES	EXCUSED
	ABERCROMBIE, Neil			
	AJIFU, Ralph K.		✓	
	AKIZAKI, Clarence Y.			
	AMARAL, Alvin T.			
	BLAIR, Russell			
	CARROLL, John S.			
	CAYETANO, Ben			
	CLARKE, George W.			
	COBB, Steve			
	EVANS, Faith			
	FONG, Hiram L. Jr.			
	GARCIA, Richard			
	HAKODA, Dan			
	HO, Richard C. S.			
	IKEDA, Donna			
	INABA, Minoru			
	KAMALII, Kinau Boyd			
	KAWAKAMI, Richard			
	KIHANO, Daniel J.			
	KIMURA, Robert			
	KIYABU, Ken			
	KONDO, Ronald Y.			
	KUNIMURA, Tony T.			
	LARSEN, Jack			
	LEE, Kenneth K. L.			
	LUM, Tennyson			
	LUNASCO, Oliver			
	MACHIDA, Gerald K.			
	MEDEIROS, John J.		✓	
	MIZUGUCHI, Norman			
	MORIOKA, Ted T.			✓
	NAITO, Lisa			
	ODA, Howard K.			
	PETERS, Henry H.			
	POEPOE, Andrew K.			
	ROEHRIG, Stanley H.			
	SAKIMA, Akira			
	SANTOS, Velma M.			
	SEGAWA, Herbert A.			
	SHITO, Mitsuo			
	STANLEY, Kathleen			
	SUTTON, Richard Ike			
	SUWA, Jack K.			
	TAKAMINE, Yoshito			
	TAKAMURA, Carl T.			
	UECHI, Mitsuo			
	USHIJIMA, Charles T.			
	YAMADA, Dennis			
	YAP, Ted			
	YUEN, Jann L.			
	MR. SPEAKER			
	TOTAL	48	2	1

DATE April 20, 1976

CHIEF CLERK George M. Jaffane

April 20, 1976

To the Honorable Speaker and
Members of the House of Representatives
of the State of Hawaii

S i r s :

This is to inform your Honorable Body
that the report of the Committee on Conference
on the disagreeing vote of the Senate to the
amendments proposed by the House to Senate Bill
No. 75, S. D. 2, was this day adopted by the
Senate; and Senate Bill No. 75, S. D. 2,
H. D. 2, C. D. 1, this day passed Final Reading
in the Senate of the Eighth Legislature of the
State of Hawaii, Regular Session of 1976, in
accordance therewith.

Respectfully,

Seichi Hirai
Clerk of the Senate

Speaker
JAMES H. WAKATSUKI

Vice Speaker
RICHARD GARCIA

Assistant Vice Speaker
TED YAP

Majority Leader
CHARLES T. USHIJIMA

Majority Floor Leader
ROBERT KIMURA

First District
JACK K. SUWA

Second District
STANLEY H. ROEHRIG
HERBERT A. SEGAWA

Third District
**YOSHITO TAKAMINE

Fourth District
MINORU INABA

Fifth District
†ALVIN T. AMARAL
GERALD K. MACHIDA

Sixth District
**RONALD Y. KONDO
VELMA M. SANTOS

Seventh District
DONNA R. IKEDA
TENNYSON K.W. LUM

Eighth District
*STEVE COBB
JACK LARSEN

Ninth District
DAN S. HAKODA
**TED T. MORIOKA

Tenth District
KEN KIYABU
**LISA NAITO

Eleventh District
JOHN S. CARROLL
‡KINAU BOYD KAMALII

Twelfth District
CLARENCE Y. AKIZAKI
CARL T. TAKAMURA

Thirteenth District
**NEIL ABERCROMBIE
‡HIRAM L. FONG, JR.
CHARLES T. USHIJIMA

Fourteenth District
RUSSELL BLAIR
KATHLEEN STANLEY

Fifteenth District
ROBERT KIMURA
RICHARD IKE SUTTON

Sixteenth District
AKIRA SAKIMA
TED YAP

Seventeenth District
RICHARD GARCIA
KENNETH LEE

Eighteenth District
MITSUO UECHI
JAMES H. WAKATSUKI

Nineteenth District
BENJAMIN J. CAYETANO
*NORMAN MIZUGUCHI

Twentieth District
*DANIEL J. KIHANO
MITSUO SHITO

Twenty-First District
RICHARD C. S. HO
**HENRY HAALILIO PETERS

Twenty-Second District
*OLIVER LUNASCO
HOWARD K. ODA

Twenty-Third District
GEORGE W. CLARKE

Twenty-Fourth District
†RALPH K. AJIFU
FAITH P. EVANS

Twenty-Fifth District
JOHN J. MEDEIROS
†ANDREW K. POEPOE

Twenty-Sixth District
JANN L. YUEN

Twenty-Seventh District
RICHARD A. KAWAKAMI
**TONY T. KUNIMURA
DENNIS R. YAMADA

HOUSE OF REPRESENTATIVES THE EIGHTH LEGISLATURE

STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813



April 20, 1976

HOUSE COMMUNICATION No. 606

To the Honorable President and
Members of the Senate of the
State of Hawaii

Sirs:

I have the honor to inform your Honorable
Body that the report of the Committee on Conference
on the disagreeing vote of the Senate to the amend-
ments proposed by the House to Senate Bill No. 75,
S. D. 2 was this day adopted by the House; and
Senate Bill No. 75, S. D. 2, H. D. 2, C. D. 1
this day passed Final Reading in the House of
Representatives of the Eighth Legislature, Regular
Session of 1976.

Very respectfully,

George M. Takane
George M. Takane
Clerk, House of Representatives

*Assistant Majority Leader
**Assistant Majority Floor Leader
†Minority Leader
‡Minority Floor Leader
‡Assistant Minority Floor Leader

THE SENATE OF THE STATE OF HAWAII

April 23, 1976
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill passed Final Reading in the Senate of the Eighth Legislature of the State of Hawaii, Regular Session of 1976 on April 20, 1976.

President of the Senate

Clerk of the Senate

THE HOUSE OF REPRESENTATIVES OF THE
STATE OF HAWAII

April 23, 1976
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill passed Final Reading in the House of Representatives of the Eighth Legislature of the State of Hawaii, Regular Session of 1976 on April 20, 1976.

Speaker, House of Representatives

Clerk, House of Representatives

April 23, 1976

The Honorable George R. Ariyoshi
Governor
State of Hawaii
State Capitol
Honolulu, Hawaii 96813

S i r :

I have the honor to transmit herewith
Senate Bill No. 75, which passed Final
Readings in the Senate and in the House of
Representatives of the Eighth Legislature
of the State of Hawaii, Regular Session
of 1976, on April 20, 1976.

Very respectfully,

Seichi Hirai
Clerk of the Senate

JOHN T. USHIJIMA
PRESIDENT

DUKE T. KAWASAKI
VICE PRESIDENT

DONALD D. H. CHING
MAJORITY LEADER

ANSON CHONG
STANLEY I. HARA
GEORGE H. TOYOFUKU
ASSISTANT MAJORITY LEADERS

ROBERT S. TAIRA
MAJORITY FLOOR LEADER

JOHN J. HULTEN
DENNIS O'CONNOR
MAMORU YAMASAKI
ASST. MAJORITY FLOOR LEADERS

FRANCIS A. WONG
MAJORITY POLICY LEADER

FIRST DISTRICT
STANLEY I. HARA
RICHARD HENDERSON
JOHN T. USHIJIMA

SECOND DISTRICT
HENRY TAKITANI
MAMORU YAMASAKI

THIRD DISTRICT
D. G. ANDERSON
MARY GEORGE
JOHN J. HULTEN

FOURTH DISTRICT
DONALD D. H. CHING
JOSEPH T. KURODA
FRANCIS A. WONG
PATSY K. YOUNG

FIFTH DISTRICT
DUKE T. KAWASAKI
ROBERT S. TAIRA
RICHARD S. H. WONG
T. C. YIM

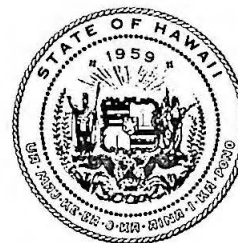
SIXTH DISTRICT
ANSON CHONG
JEAN SADAKO KING
JOHN LEOPOLD
WADSWORTH YEE

SEVENTH DISTRICT
DONALD S. NISHIMURA
DENNIS O'CONNOR
PATRICIA SAIKI
W. BUDDY SOARES

EIGHTH DISTRICT
GEORGE H. TOYOFUKU

SEICHI HIRAI
CLERK

The Senate
The Eighth Legislature
of the
State of Hawaii
HONOLULU, HAWAII



April 23, 1976

The Honorable Nelson K. Doi
Lieutenant Governor
State of Hawaii
State Capitol
Honolulu, Hawaii 96813

S i r :

I transmit herewith 90 copies of Senate
Bill No. 75, which duly passed the Eighth
Legislature of the State of Hawaii, Regular
Session of 1976. The original of this Bill
has been submitted this day to the Governor
for his consideration.

Very respectfully,

Seichi Hirai
Clerk of the Senate