

JAN 22 2016

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# A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

1           SECTION 1.   Section 354D-4, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "§354D-4   Powers and duties of the director.   Under the  
4 supervision of the director or the director's designee, the  
5 administrator of the correctional industries program shall:

6           (1)   Develop programs generating revenue that best sustains  
7                their operation and allows for capital investment, and  
8                reimburses the general fund, when possible, for the  
9                expense of correctional services;

10          (2)   Develop programs providing the maximum level of work  
11                and training opportunities for qualified, able-bodied  
12                inmates;

13          (3)   Develop programs assuming responsibility for training  
14                qualified, able-bodied inmates in general work and  
15                specific training skills that increase their  
16                employment prospects after release;



1 (4) Develop programs in which inmates can learn skills  
2 used in the construction and other industries, while  
3 providing low-cost construction, renovation, and  
4 repairs of facilities, grounds, furniture, vehicles,  
5 and equipment for private, nonprofit social services,  
6 health, or education agencies and programs;

7 (5) Acquire or purchase equipment, materials, supplies,  
8 office space, insurance, and services necessary to  
9 establish and maintain programs pursuant to this  
10 chapter;

11 (6) [~~Use labor services of qualified, able-bodied inmates~~  
12 ~~in the manufacture or production of goods and services~~  
13 ~~that are needed for the construction, operation, or~~  
14 ~~maintenance of any office, department, institution, or~~  
15 ~~agency supported in whole or in part by the State, the~~  
16 ~~counties, or the federal government,] Ensure the  
17 correctional industries program is operated for the  
18 purpose of employment training of inmates in:~~

19 (A) Manufacturing or producing articles or products  
20 for sale to the general public, including  
21 photographs, paintings, drawings, sewn items,



1           crocheted items, woodwork, and other items deemed  
2           appropriate for sale by the director; and  
3           (B) Providing labor services for the construction,  
4           repair, or maintenance of any equipment or real  
5           property of any department or agency of the  
6           State, a county, or the federal government;  
7           provided that the administrator of the  
8           correctional industries program may assess a  
9           reasonable charge for the services provided under  
10           this subparagraph;

11       ~~[(7) Sell all goods and services to the State, the~~  
12       ~~counties, or the federal government;~~

13       ~~+(8)]~~ (7) Sell uniforms and uniform accessories to state-  
14       employed adult corrections officers;

15       ~~+(9)]~~ (8) Purchase, lease, trade, exchange, acquire, and  
16       maintain personal property; ~~[and]~~

17       ~~+(10)]~~ (9) Accept grants or loans from the State, the  
18       counties, or the federal government~~[-]~~; and

19       (10) Ensure that the proceeds from the sale of products and  
20       crafts pursuant to paragraph 6(A) are deposited as  
21       follows:



- 1           (A) Twenty-five per cent to be deposited into the
- 2           correctional industries revolving fund; and
- 3           (B) Seventy-five per cent to be deposited into the
- 4           committed person's account established pursuant
- 5           to section 353-20."

6           SECTION 2. Section 354D-10, Hawaii Revised Statutes, is  
7 amended by amending subsection (a) to read as follows:

8           "(a) There is created the correctional industries  
9 revolving fund to be administered by the department. All moneys  
10 collected by the department from the sale or disposition of  
11 goods and services produced in accordance with this chapter,  
12 from the sale of products and crafts in accordance with section  
13 353D-4(10), and any inmate deductions shall be deposited into  
14 the correctional industries revolving fund. The proceeds in the  
15 correctional industries revolving fund shall be used for: the  
16 purchase or lease of supplies, equipment, and machinery; the  
17 construction, leasing, or renovating of buildings used to carry  
18 out the purposes of this chapter; the salaries of personnel  
19 necessary to administer the enterprises established in  
20 accordance with this chapter; payment of inmates for work  
21 assignments; the reimbursement of incarceration costs of the



1 inmates related to the inmates' participation in correctional  
 2 industries; and other necessary expenses; provided that the  
 3 correctional industries revolving fund shall not be maintained  
 4 in excess of the amount necessary to carry out the purposes of  
 5 this chapter."

6 SECTION 3. Section 354D-15, Hawaii Revised Statutes, is  
 7 repealed.

8 ~~["§354D-15 Sale of goods. It shall be unlawful to sell,~~  
 9 ~~or offer for sale, on the open market of this State, any~~  
 10 ~~articles or products manufactured or produced, wholly or in~~  
 11 ~~part, under this chapter. Goods or services produced by venture~~  
 12 ~~agreements under section 354D-13 shall be exempt from this~~  
 13 ~~limitation."]~~

14 SECTION 4. Statutory material to be repealed is bracketed  
 15 and stricken. New statutory material is underscored.

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

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INTRODUCED BY: Will Espero  
Clarence Teshima



**Report Title:**

Corrections; Committed Persons; Sale of Crafts; Correctional Industries Program; Correctional Industries Revolving Fund

**Description:**

Allows committed persons to create approved products and crafts that may be sold through the correctional industries program to the public. Requires that all moneys collected from the sale of products and crafts to be deposited into either the correctional industries revolving fund or the committed person's account. Repeals the prohibition of the sale of such products on the open market.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

