

P.L. 1997, CHAPTER 219, *approved August 19, 1997*
Assembly, No. 26 (*First Reprint*)

1 AN ACT concerning the State Parole Board and amending P.L.1979,
2 c.441.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Section 3 of P.L.1979, c.441 (C.30:4-123.47) is amended to
8 read as follows:

9 3. a. There is hereby created and established within the Department
10 of Corrections a State Parole Board which shall consist of a chairman
11 **[and]**, eight associate members and one alternate board member. ¹ [A
12 vice- chairman shall be designated by the Governor from among the
13 associate members and shall assume the duties of the chairman when
14 the chairman is absent. The alternate board member shall assume the
15 duties of an associate member only when the associate member is
16 removed, incapacitated or assumes the duties of the chairman.]¹ The
17 chairman ¹**[and]** ¹ associate members ¹and alternate board member¹
18 shall be appointed by the Governor with the advice and consent of the
19 Senate from qualified persons with training or experience in law,
20 sociology, criminal justice, juvenile justice or related branches of the
21 social sciences. Members of the board ¹and the alternate board
22 member¹ shall be appointed for terms of six years and the terms of
23 their successors shall be calculated from the expiration of the
24 incumbent's term. Members shall serve until their successors are
25 appointed and have qualified.

26 ¹The Governor shall designate a vice-chairman from among the
27 associate members. The vice-chairman shall assume the duties of the
28 chairman when the chairman is absent or otherwise incapable of
29 performing his duties, or, in the case of removal or a permanent

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ALP committee amendments adopted March 3, 1997.

1 incapacity, until the qualification of a successor chairman appointed by
2 the Governor.

3 The alternate board member shall assume the duties of an associate
4 member only when the associate member is removed, incapacitated or
5 assumes the duties of the chairman, and shall perform those duties only
6 until the associate resumes his duties, or, in the case of removal or a
7 permanent incapacity, the qualification of a successor appointed by the
8 Governor.¹

9 b. Any vacancy occurring in the membership of the board,
10 otherwise than by expiration of term, shall be filled in the same manner
11 as one occurring by expiration of term, but for the unexpired term
12 only. In the event that any member of the board shall be rendered
13 incapable of performing his duties ¹and the alternate board member is
14 incapable of performing that associate's duties, either because the
15 alternate board member has assumed the duties of another associate or
16 is otherwise rendered incapable of performing the associate's duties¹,
17 the [Governor shall appoint a qualified person to] ¹[alternate board
18 member shall] Governor shall appoint a qualified person to¹ act in his
19 stead during the period of his incapacity. Any member of the board ¹,
20 including the alternate board member,¹ may be removed from office by
21 the Governor for cause.

22 c. The members of the board shall devote their full time to the
23 performance of their duties and be compensated pursuant to section 2
24 of P.L.1974, c.55 (C.52:14-15.108). The alternate member shall be
25 ¹[compensated at a rate not to exceed 50 percent of the rate of
26 compensation of an associate member unless he assumes the full-time
27 duties of an associate member, which service shall be compensated at
28 the rate paid an associate member] entitled to compensation. The
29 amount of such compensation shall be determined by multiplying the
30 rate an associate member would be paid on a per diem basis times the
31 number of days the alternate board member actually performed the
32 duties of an associate member in accordance with the provisions of this
33 section¹ .

34 d. At the time of appointment, the Governor shall designate two
35 associate members of the board to serve on a panel on juvenile
36 commitments. The remaining six associate members of the board shall
37 be appointed by the Governor to panels on adult sentences. The
38 chairman of the board shall assign four of the associate members so
39 appointed to two panels on prison sentences, and the remaining two
40 associate members so appointed to a panel on young adult sentences.
41 The chairman of the board shall be a member of each panel. Nothing
42 provided herein shall prohibit the chairman from reassigning any
43 member appointed to a panel on adult sentences to facilitate the
44 efficient function of the board. ¹The alternate board member may
45 assume, in accordance with the provisions of this section, the duties of
46 any associate member, regardless of whether that associate member

1 serves on a panel on juvenile commitments or panels on adult
2 sentences either as a member of a panel on prison sentences or a panel
3 on young adult sentences.¹

4 (cf: P.L.1987, c.396, s.1)

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6 2. This act shall take effect on the first day of the fourth month
7 after enactment.

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12 Provides for vice-chairman, permanent alternate member on State
13 Parole Board.