

CHAPTER 219

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

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

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

C.30:4-123.47 State parole board.

3. a. There is hereby created and established within the Department of Corrections a State Parole Board which shall consist of a chairman, eight associate members and one alternate board member. The chairman, associate members and alternate board member shall be appointed by the Governor with the advice and consent of the Senate from qualified persons with training or experience in law, sociology, criminal justice, juvenile justice or related branches of the social sciences. Members of the board and the alternate board member shall be appointed for terms of six years and the terms of their successors shall be calculated from the expiration of the incumbent's term. Members shall serve until their successors are appointed and have qualified.

The Governor shall designate a vice-chairman from among the associate members. The vice-chairman shall assume the duties of the chairman when the chairman is absent or otherwise incapable of performing his duties, or, in the case of removal or a permanent incapacity, until the qualification of a successor chairman appointed by the Governor.

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

b. Any vacancy occurring in the membership of the board, otherwise than by expiration of term, shall be filled in the same manner as one occurring by expiration of term, but for the unexpired term only. In the event that any member of the board shall be rendered incapable of performing his duties and the alternate board member is incapable of performing that associate's duties, either because the alternate board member has assumed the duties of another associate or is otherwise rendered incapable of performing the associate's duties, the Governor shall appoint a qualified person to act in his stead during the period of his incapacity. Any member of the board, including the alternate board member, may be removed from office by the Governor for cause.

c. The members of the board shall devote their full time to the performance of their duties and be compensated pursuant to section 2 of P.L.1974, c.55 (C.52:14-15.108). The alternate member shall be entitled to compensation. The amount of such compensation shall be determined by multiplying the rate an associate member would be paid on a per diem basis times the number of days the alternate board member actually performed the duties of an associate member in accordance with the provisions of this section.

d. At the time of appointment, the Governor shall designate two associate members of the board to serve on a panel on juvenile commitments. The remaining six associate members of the board shall be appointed by the Governor to panels on adult sentences. The chairman of the board shall assign four of the associate members so appointed to two panels on prison sentences, and the remaining two associate members so appointed to a panel on young adult sentences. The chairman of the board shall be a member of each panel. Nothing provided herein shall prohibit the chairman from reassigning any member appointed to a panel on adult sentences to facilitate the efficient function of the board. The alternate board member may assume, in accordance with the provisions of this section, the duties of any associate member, regardless of whether that associate member serves on a panel on juvenile commitments or panels on adult sentences either as a member of a panel on prison sentences or a panel on young adult sentences.

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

Approved August 19, 1997.