

30:4-123.47

LEGISLATIVE HISTORY CHECKLIST

NJSA: 30:4-123.47 (State Parole Board-- increase membership)

LAWS OF: 1987 **CHAPTER:** 396

Bill No: A3314

Sponsor(s): Kern

Date Introduced: October 23, 1986

Committee: **Assembly:** Law, Public Safety and Defense; Appropriations
Senate: Judiciary

Amended during passage: Yes Amendments during passage denoted by asterisks.

Date of Passage: **Assembly:** March 9, 1987
Senate: December 14, 1987

Date of Approval: January 13, 1988

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: **Assembly** Yes 12-11-86 and 3-5-87
Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: No

Hearings: No

P. L. 1987, CHAPTER 396, approved, January 13, 1988

1986 Assembly No. 3314 (2nd Official Copy Reprint)

AN ACT increasing the membership of the State Parole Board, and amending P. L. 1979, c. 441 and making an appropriation.

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

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

3 3. a. There is hereby created and established within the Depart-
4 ment of Corrections a State Parole Board which shall consist of
5 a chairman and **[six]** *eight* associate members. The chairman and
6 associate members shall be appointed by the Governor with the
7 advice and consent of the Senate from qualified persons with train-
8 ing or experience in law, sociology, criminal justice, juvenile
9 justice or related branches of the social sciences. Members
10 of the board shall be appointed for terms of six years****[**, but of the
11 associate members first appointed, one shall be appointed for a
12 term of one year, one for a term of two years, one for a term of
13 three years, one for a term of four years, one for a term of five
14 years and one for a term of six years. Members' terms shall com-
15 mence on the effective date of this act**]**** and the terms of their suc-
16 cessors shall be calculated from the expiration of the incumbent's
17 term. Members shall serve until their successors are appointed
18 and have qualified.

19 b. Any vacancy occurring in the membership of the board, other-
20 wise than by expiration of term, shall be filled in the same manner

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

Matter printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Assembly committee amendments adopted March 5, 1987.

**—Senate committee amendments adopted December 7, 1987.

21 as one occurring by expiration of term, but for the unexpired term
22 only. In the event that any member of the board shall be rendered
23 incapable of performing his duties, the Governor shall appoint a
24 qualified person to act in his stead during the period of his inca-
25 pacity. Any member of the board may be removed from office by
26 the Governor for cause.

27 c. The members of the board shall devote their full time to the
28 performance of their duties and be compensated pursuant to sec-
29 tion 2 of P. L. 1974, c. 55 (C. 52:14-15.108).

30 d. At the time of appointment, the Governor shall designate two
31 associate members of the board to serve on a panel on juvenile
32 commitments. The remaining [four] six associate members of the
33 board shall be appointed by the Governor to panels on adult
34 sentences. The chairman of the board shall assign ****[two]****
35 ****four**** of the associate members so appointed to ****[a panel]****
36 ****two panels**** on prison sentences [and the remaining]**, **
37 ****and the remaining**** two associate members so appointed to a
38 panel on young adult sentences ****[and two associate members of**
39 **a panel on county sentences]****. The chairman of the board shall
40 be a member of each panel. ****Nothing provided herein shall pro-**
41 **hibit the chairman from reassigning any member appointed to a**
42 **panel on adult sentences to facilitate the efficient function of the**
43 **board.****

1 ****[2. Section 5 of P. L. 1979, c. 441 (C. 30:4-123.49) is amended**
2 **to read as follows:**

3 5. a. The chairman of the board[, after consulting with the
4 board, shall] *may* assign any [case not otherwise assigned, such
5 as] county jail, workhouse, or penitentiary cases, to a special panel
6 composed of [any two members or any] one *associate* member and
7 one senior hearing officer as necessary for the efficient functioning
8 of the board.

9 b. Nothing contained in this act shall be deemed to preclude a
10 member of any board panel from exercising all the functions,
11 powers, and duties of a hearing officer upon designation by the
12 chairman; provided, however, that no member so designated shall
13 participate in the disposition of a panel or board review of his
14 initial decision.

15 c. No hearing officer assigned to review adult cases shall be
16 assigned to review juvenile cases pursuant to sections 13 and 19
17 of this act, nor shall any hearing officer assigned to review juvenile
18 cases be assigned to review adult cases.

19 d. Representatives of the board or the chairman designated
20 pursuant to this act may include employees of the board and em-

21 ployees of other agencies such as the Department of Corrections,
22 provided that no employee of the Department of Corrections shall
23 be so designated without the approval of the Commissioner of
24 Corrections. Such representatives shall not participate in the
25 disposition of parole cases.]**

1 **[3.]** **2.** There is appropriated to the State Parole Board
2 from the General Fund the amount of *[\$130,000.00]*
3 **[\$242,500.00]** **\$95,000.00** for the salaries of the two addi-
4 tional members *and support staff*.

1 **[4.]** **3.** This act shall take effect immediately.

STATEMENT

This bill increases the State Parole Board's membership from seven to nine members. The membership on the board has remained constant since 1973 despite an increase in the number of cases heard. The additional two members will form a new panel on county sentences which will facilitate an increase in the number of inmate hearings which panels conduct. For example, in fiscal year 1985, the board conducted 5,721 initial hearings. In the next fiscal year this number rose to 7,763.

Additional cases may be attributed to the fact that the board began conducting parole release hearings for certain county inmates.

An appropriation of \$130,000.00 is included to cover the cost of these two salaries.

PROBATION AND PAROLE

Adds two members to the State Parole Board and makes an appropriation of \$130,000.00 to the State Parole Board.

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ASSEMBLY LAW, PUBLIC SAFETY, DEFENSE AND
CORRECTIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3314

STATE OF NEW JERSEY

DATED: DECEMBER 11, 1986

The Assembly Law, Public Safety, Defense and Corrections Committee favorably reports Assembly Bill No. 3314.

Assembly Bill No. 3314 increases the membership of the State Parole Board from seven to nine members. An appropriation of \$130,000.00 is made to cover the cost of two additional salaries.

The State Parole Board has had seven members since 1979 despite an increase in the number of cases heard. According to the sponsor, the two additional members will form a new panel on county sentences to facilitate the number of inmate hearings conducted.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY No. 3314

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: MARCH 5, 1957

The Assembly Appropriations Committee favorably reports Assembly Bill No. 3314 with amendments.

Assembly Bill No. 3314, as amended, increases the membership of the State Parole Board from seven to nine members. These two new members will form a new panel concerning "county sentences" to facilitate the increased number of inmate hearings. Currently, the other two panels conduct hearings on "prison sentences" and "young adult sentences." As amended, the bill also provides funding for two hearing officers, two clerk transcribers and office equipment.

FISCAL IMPACT:

There is an appropriation from the General Fund to the State Parole Board in the amount of \$242,500.00 for two board members, two hearing officers, two senior clerk transcribers and office equipment.

COMMITTEE AMENDMENTS:

The committee amended the bill to increase the appropriation to \$242,500.00 for added staff and equipment.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3314

[OFFICIAL COPY REPRINT]

with Senate committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 7, 1987

The Senate Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 3314 OCR.

This bill would increase the membership of the State Parole Board from seven to nine members.

The committee amended the bill to accomplish the following:

1. Presently, the Parole Board has panels on "prison sentences"; on "young adult sentences" and on "juvenile commitments." As originally drafted the bill would have assigned the two new members to a panel on "county sentences." Under the amendments adopted by the committee, the two new members would be assigned to an additional panel on "prison sentences." The amendments also indicate that the chairman of the Parole Board may reassign adult panel members to facilitate the function of the board.

2. Originally, the bill would have appropriated \$242,500.00 to the Parole Board to cover the salaries of the two additional members, two hearing officers and two clerk transcribers plus additional office equipment. As the present fiscal year is nearly half over, the full \$242,500.00 is not necessary. Therefore the amendments reduce the appropriation to \$95,000.00.

3. Additionally, the amendments delete language which staggered the terms of the initial Parole Board appointees as that language is no longer necessary.



OFFICE OF THE GOVERNOR NEWS RELEASE

CN-001

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TRENTON, N.J. 08625

Release: WED., JAN. 13, 1987

Governor Thomas H. Kean today signed legislation to increase the membership of the State Parole Board from seven to nine members to deal with the Board's increased workload.

The legislation, A-3314, was sponsored by Assemblywoman Lisa Randall, R-Bergen. An identical bill, S-3229, was sponsored in the Senate by Senator Francis McManimon, D-Mercer, and merged with the Assembly bill.

According to the Parole Board, 1,250 inmates are awaiting a board review, of which about 275 were eligible for parole release in December. Under the law, parole panels must hold hearings at least 30 days prior to the parole eligibility date.

In 1985, the Parole Board conducted 5,700 hearings and in 1986, it conducted 7,700 hearings. The number of hearings is expected to continue to rise.

"We have explored a number of different avenues toward reducing prison overcrowding," Kean said. "Maintaining pace with parole eligibility hearings is, obviously, one of these approaches. Moreover, the inmate deserves the opportunity to present his or her case for parole in the time specified by law." The bill appropriates \$95,000 to cover salaries for the remainder of this fiscal year.

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