

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 633

Short Title: Staggered Parole Comm. Terms.

(Public)

Sponsors: Senator Smith.

Referred to: Judiciary I.

March 30, 1993

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR STAGGERED TERMS FOR MEMBERS OF THE PAROLE COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143B-267 reads as rewritten:

"§ 143B-267. Parole Commission – members; selection; removal; chairman; compensation; quorum; services.

The Parole Commission shall consist of five full-time members. The five full-time members shall be appointed by the Governor from persons whose recognized ability, training, experience, and character qualify them for service on the Commission. The terms of office of the five members presently serving on the Commission shall expire on June 30, 1977-1993. The terms of the three members appointed effective July 1, 1993, shall be for three years. The terms of two members appointed effective July 1, 1993, shall be for four years. Thereafter, the terms of office of persons appointed by the Governor as members of the Commission shall be for four years or until their successors are appointed and qualify. Any appointment to fill a vacancy on the Commission created by the resignation, removal, death or disability of a full-time member shall be for the balance of the unexpired term only.

The Governor shall have the authority to remove any member of the Commission from office for misfeasance, malfeasance or nonfeasance, pursuant to the provisions of G.S. 143B-13. The Governor shall designate a full-time member of the Commission to serve as chairman of the Commission at the pleasure of the Governor.

With regard to the transaction of the business of the Commission the following procedure shall be followed: The chairman shall designate panels of two voting

1 commission members and shall designate a third commissioner to serve as an alternate
2 member of a panel. Insofar as practicable, the chairman shall assign the members to
3 panels in such fashion that each commissioner sits a substantially equal number of times
4 with each other commissioner. Whenever any matter of business, such as the granting,
5 denying, revoking or rescinding of parole, or the authorization of work-release
6 privileges to a prisoner, shall come before the Commission for consideration and
7 action, the chairman shall refer such matter to a panel. Action may be taken by
8 concurring vote of the two sitting panel members. If there is not a concurring vote of
9 the two panel members, the matter will be referred to the alternate member who shall
10 cast the deciding vote. However, no person serving a sentence of life imprisonment
11 shall be granted parole or work-release privileges except by majority vote of the full
12 commission.

13 The full-time members of the Commission shall receive the salary fixed by the
14 General Assembly in the Current Operations Appropriations Act and shall receive
15 necessary travel and subsistence expenses in accordance with the provisions of G.S.
16 138-6.

17 All clerical and other services required by the Commission shall be supplied by the
18 Secretary of Correction."

19 Sec. 2. This act becomes effective June 30, 1993.